

Exhibit 59

REDACTED

Elsa Powell

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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6 MONIQUE RUSSELL, JASMINE RIGGINS, Civil Action No.

7 ELSA M. POWELL, and DESIRE EVANS, 18-5629

8 Plaintiffs, Honorable

Joshua D. Wolson

9 v.

10 EDUCATIONAL COMMISSION FOR FOREIGN

11 MEDICAL GRADUATES,

12 Defendants.

13 -----x

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16 VIDEOTAPED DEPOSITION OF ELSA POWELL

17 Washington, D.C.

18 Friday, September 6, 2019

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23 GOLKOW LITIGATION SERVICES

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Elsa Powell

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<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5 Friday, September 6, 2019</p> <p>6 9:32 a.m.</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11 The following is the transcript of the</p> <p>12 videotaped deposition of ELSA POWELL held at the</p> <p>13 offices of Morgan, Lewis & Bockius, LLP, 1111</p> <p>14 Pennsylvania Avenue, NW, Washington, DC 20004.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19 Reported by: Linda S. Kinkade, RDR CRR RMR RPR CSR</p> <p>20 Registered Diplomat Reporter, Nationally Certified</p> <p>21 Realtime Reporter, Registered Professional Reporter</p> <p>22 with Merit Distinction, Certified Shorthand Reporter</p> <p>23 (CA), Notary Public, within and for the District of</p> <p>24 Columbia, and official duly authorized to administer</p> <p>25 oaths and/or affirmations.</p>	<p>1 INDEX OF EXAMINATION</p> <p>2</p> <p>3 EXAMINATION OF ELSA POWELL PAGE</p> <p>4 BY MS. MCENROE 7</p> <p>5 BY MR. CERYES 109</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
Page 3	Page 5
<p>1 A P P E A R A N C E S:</p> <p>2</p> <p>3 On Behalf of Plaintiffs MONIQUE RUSSELL, JASMINE</p> <p>4 RIGGINS, ELSA M. POWELL, and DESIRE EVANS:</p> <p>5 Schochor, Federico and Staton, P.A.</p> <p>6 1211 St. Paul Street</p> <p>7 Baltimore, Maryland 21202</p> <p>8 (410) 234-1000</p> <p>9 By: Brent Ceryes, Esq.</p> <p>10</p> <p>11</p> <p>12</p> <p>13 On Behalf of Defendant EDUCATIONAL COMMISSION FOR</p> <p>14 FOREIGN MEDICAL GRADUATES:</p> <p>15 Morgan, Lewis & Bockius, LLP</p> <p>16 1701 Market Street</p> <p>17 Philadelphia, Pennsylvania 19103</p> <p>18 (215) 963-5609</p> <p>19 By: Elisa P. McEnroe, Esq.</p> <p>20 By: Matthew D. Klayman, Esq.</p> <p>21</p> <p>22</p> <p>23 Also present:</p> <p>24 Crystal Strawbridge, Videographer</p> <p>25</p>	<p>1 E X H I B I T S</p> <p>2</p> <p>3 NO. DESCRIPTION PAGE</p> <p>4 Exhibit 1 Amended Notice of Deposition of ... 55</p> <p>5 Plaintiff Elsa Powell</p> <p>6 Exhibit 2 Civil Action re Russell, et al. ... 91</p> <p>7 v. Educational Commission for</p> <p>8 Foreign Medical Graduates</p> <p>9 Exhibit 3 Plaintiff Elsa Powell's Answers ... 100</p> <p>10 to First Set of Interrogatories</p> <p>11 and Responses to First Set of</p> <p>12 Requests for Production of</p> <p>13 Documents</p> <p>14 Exhibit 4 Plaintiff Elsa Powell's 100</p> <p>15 Supplemental Answers to First Set</p> <p>16 of Interrogatories and</p> <p>17 Supplemental Responses to First</p> <p>18 Set of Requests for Production of</p> <p>19 Documents</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 6</p> <p>1 PROCEEDINGS</p> <p>2 VIDEO SPECIALIST: We are now on the</p> <p>3 record. My name is Crystal Strawbridge. I'm a</p> <p>4 videographer for Golkow Litigation Services. Today's</p> <p>5 date is September 6th, 2019. The time is 9:32 a.m.</p> <p>6 This deposition is being held at 1111</p> <p>7 Pennsylvania Avenue, Northwest, Washington, D.C., in</p> <p>8 the matter of Monique Russell, et al. v. Educational</p> <p>9 Commission for Foreign Medical Graduates, Civil</p> <p>10 Action No. 18-5629, for the United States District</p> <p>11 Court for the Eastern District of Pennsylvania. The</p> <p>12 deponent is Elsa Powell.</p> <p>13 Will counsel please identify themselves?</p> <p>14 MR. CERYES: Brent Ceryes on behalf of the</p> <p>15 plaintiffs.</p> <p>16 MS. MCENROE: Good morning. Elisa McEnroe</p> <p>17 for Morgan, Lewis & Bockius on behalf of the</p> <p>18 Educational Commission for Foreign Medical Graduates,</p> <p>19 and together with me today I have my colleague, Matt</p> <p>20 Klayman.</p> <p>21 VIDEO SPECIALIST: The court reporter</p> <p>22 today is Linda Kinkade and will now swear in the</p> <p>23 witness.</p> <p>24 //</p> <p>25 //</p>	<p style="text-align: right;">Page 8</p> <p>1 that correct?</p> <p>2 A. Yes, ma'am.</p> <p>3 Q. Was that in the Dimensions lawsuit in</p> <p>4 Maryland?</p> <p>5 A. Yes, ma'am.</p> <p>6 Q. Have you ever been deposed otherwise?</p> <p>7 A. No, ma'am.</p> <p>8 Q. So you may remember from that deposition</p> <p>9 that the way it works is that I'll ask you some</p> <p>10 questions, and I'll ask that you answer them. Do you</p> <p>11 understand that?</p> <p>12 A. Yes, ma'am.</p> <p>13 Q. And it works best if I get to get my full</p> <p>14 questions out and you get to get your full answers</p> <p>15 out so we're not talking on top of each other. Does</p> <p>16 that make sense?</p> <p>17 A. Yes, ma'am.</p> <p>18 Q. If at any time today you don't understand</p> <p>19 my question or you find it confusing, please let me</p> <p>20 know. I'd be happy to restate it. If you do answer</p> <p>21 the question, I'm going to assume that you understood</p> <p>22 it. Does that make sense?</p> <p>23 A. Yes, ma'am.</p> <p>24 Q. Because of the allegations in the lawsuit,</p> <p>25 some of the questions today may be a bit personal or</p>
<p style="text-align: right;">Page 7</p> <p>1 ELSA POWELL,</p> <p>2 having been first duly sworn and/or</p> <p>3 affirmed on her oath, was thereafter examined and</p> <p>4 testified as follows:</p> <p>5 EXAMINATION</p> <p>6 BY MS. MCENROE:</p> <p>7 Q. Good morning, Ms. Powell.</p> <p>8 A. Good morning, ma'am.</p> <p>9 Q. For the record, could you just state your</p> <p>10 complete name for me?</p> <p>11 A. Elsa Miguelina Powell.</p> <p>12 Q. And is it correct that your birthday is</p> <p>13 [REDACTED]</p> <p>14 A. That's correct.</p> <p>15 Q. And that makes you [REDACTED] years old today?</p> <p>16 A. That's correct.</p> <p>17 Q. You understand that I'm here because you</p> <p>18 have filed a lawsuit against the Educational</p> <p>19 Commission for Foreign Medical Graduates; is that</p> <p>20 correct?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. And we'll be taking your deposition today.</p> <p>23 Do you understand that?</p> <p>24 A. Yes, ma'am.</p> <p>25 Q. And you've been deposed once before; is</p>	<p style="text-align: right;">Page 9</p> <p>1 sensitive. If you need to take a break or a moment,</p> <p>2 just let me know, and I'm happy to do that as needed.</p> <p>3 I just ask that, if there's a question that's</p> <p>4 pending, that you answer the question before we take</p> <p>5 a break. Does that make sense?</p> <p>6 A. Yes, ma'am.</p> <p>7 Q. We just discussed a moment ago that you</p> <p>8 were deposed in the Dimensions lawsuit in Maryland;</p> <p>9 right?</p> <p>10 A. Yes, ma'am.</p> <p>11 Q. Do you remember when that took place?</p> <p>12 A. 2017, '18, around there.</p> <p>13 Q. If -- if I told you the deposition was on</p> <p>14 March 27th, 2019, would that refresh your</p> <p>15 recollection?</p> <p>16 A. No, ma'am.</p> <p>17 Q. Okay. And why is that?</p> <p>18 MR. CERYES: Objection, form, foundation.</p> <p>19 MS. MCENROE: I can restate it.</p> <p>20 Q. Do you believe that it happened earlier</p> <p>21 than that, your deposition?</p> <p>22 A. Yes, ma'am, 2019.</p> <p>23 Q. In 2019? Okay.</p> <p>24 A. Yes.</p> <p>25 Q. And sitting here today, do you believe</p>

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<p>1 that the answers you gave during that deposition were</p> <p>2 true and correct?</p> <p>3 A. Yes, ma'am.</p> <p>4 Q. And you stand by the answers you gave at</p> <p>5 that deposition?</p> <p>6 A. Yes, ma'am.</p> <p>7 Q. So that will help us speed things along a</p> <p>8 little bit today.</p> <p>9 So I'm not going to necessarily ask you</p> <p>10 everything they asked you in that deposition, so, for</p> <p>11 example, about your employment or education</p> <p>12 background, but if there's anything today that, as</p> <p>13 I'm asking you questions, you remember that you</p> <p>14 testified previously inaccurately for any reason,</p> <p>15 please let us know, because, otherwise, we're going</p> <p>16 to take those past answers as having been correct.</p> <p>17 Do you understand?</p> <p>18 A. Yes, ma'am.</p> <p>19 Q. Is there any reason you can't tell the</p> <p>20 truth today?</p> <p>21 A. No reason at all.</p> <p>22 Q. Any medication that would impair your</p> <p>23 ability to understand or answer my questions?</p> <p>24 A. No, ma'am.</p> <p>25 Q. Has your name always been Elsa Powell, or</p>	<p>1 A. Lucy Mercedes, she is 14; Nestor Mercedes,</p> <p>2 he's 13; Josiah Rodriguez, he's 9; Jaiden Powell, he</p> <p>3 is 4, soon to be 5; and Tatiana Powell, she is 3.</p> <p>4 Q. Does Mr. Powell have any other children?</p> <p>5 A. No, ma'am.</p> <p>6 Q. Do all five of your children live with</p> <p>7 you?</p> <p>8 A. Yes, ma'am.</p> <p>9 Q. Is Jaiden in school?</p> <p>10 A. Yes, he is.</p> <p>11 Q. In pre-K or kindergarten?</p> <p>12 A. Pre-K.</p> <p>13 Q. And does Tatiana go to daycare?</p> <p>14 A. No.</p> <p>15 Q. Okay. How does she get cared for during</p> <p>16 the day?</p> <p>17 A. I take care of her.</p> <p>18 Q. Do you work from home?</p> <p>19 A. I work overnights.</p> <p>20 Q. Who is home with the children overnight</p> <p>21 while you're working?</p> <p>22 A. Sometimes my husband; sometimes my oldest</p> <p>23 child.</p> <p>24 Q. That would be Lucy?</p> <p>25 A. Yes.</p>
Page 11	Page 13
<p>1 did you have another name before you got married?</p> <p>2 A. I had another name.</p> <p>3 Q. What was that name?</p> <p>4 A. Delvillar-Mejia.</p> <p>5 Q. That was the last name?</p> <p>6 A. Yes.</p> <p>7 Q. And was that hyphenated?</p> <p>8 A. Yes.</p> <p>9 Q. And have you used any other names besides</p> <p>10 those we just discussed?</p> <p>11 A. No, ma'am.</p> <p>12 Q. And am I correct to assume that you</p> <p>13 changed your name because you got married?</p> <p>14 A. Correct.</p> <p>15 Q. Do I have it right that you were married</p> <p>16 in January 2015?</p> <p>17 A. That's correct.</p> <p>18 Q. To Gregory Lamont Powell?</p> <p>19 A. That's correct.</p> <p>20 Q. Is he still your husband today?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. How many children do you have?</p> <p>23 A. I have five children.</p> <p>24 Q. Would you please tell me their names and</p> <p>25 ages?</p>	<p>1 Q. Are your kids good sleepers?</p> <p>2 A. Yes.</p> <p>3 Q. That makes it easier.</p> <p>4 A. It does.</p> <p>5 Q. You said you work overnights. What are</p> <p>6 your typical hours of your shifts?</p> <p>7 A. I work 2100 hours to 05.</p> <p>8 Q. So if my math is correct --</p> <p>9 A. Nine to 5 -- 9 p.m. to 5 a.m.</p> <p>10 Q. Thank you. 9 p.m. to 5 a.m.?</p> <p>11 A. Yes.</p> <p>12 Q. Where do you work?</p> <p>13 A. NIH Bethesda.</p> <p>14 Q. How long have you worked at NIH Bethesda?</p> <p>15 A. One year and three months.</p> <p>16 Q. What do you do there?</p> <p>17 A. I'm in admin. I do admin for the security</p> <p>18 company, Paragon Systems.</p> <p>19 Q. Is that the security company for the</p> <p>20 building that you're working in?</p> <p>21 A. It's for the whole entire campus.</p> <p>22 Q. For the whole camp- --</p> <p>23 A. Yes.</p> <p>24 Q. It's an NIH campus?</p> <p>25 A. Yes.</p>

<p style="text-align: right;">Page 14</p> <p>1 Q. You say you do admin. Just very briefly</p> <p>2 what does that entail?</p> <p>3 A. Contact officers, when we have call-outs,</p> <p>4 I cover those shifts, answer phones, do daily</p> <p>5 reports, sometimes give officer breaks,</p> <p>6 administrative work.</p> <p>7 Q. And when you say you step in for shifts</p> <p>8 sometimes, that's acting as a security guard?</p> <p>9 A. Yes, acting lieutenant.</p> <p>10 Q. Are the shifts you do from 9 p.m. to 5</p> <p>11 a.m. Monday through Friday?</p> <p>12 A. Yes.</p> <p>13 Q. Do you do shifts on the weekend ever?</p> <p>14 A. No.</p> <p>15 Q. Is it a regular set schedule so you expect</p> <p>16 that you will be working Monday through Friday for</p> <p>17 those times?</p> <p>18 A. Yes.</p> <p>19 Q. How far do you live from where you work?</p> <p>20 A. Forty-five minutes without traffic.</p> <p>21 Q. Is there usually traffic?</p> <p>22 A. Not around that time, unless there's an</p> <p>23 accident or a game, FedExField.</p> <p>24 Q. So you usually expect it will take you</p> <p>25 about 45 minutes to get to and from work?</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. A day or at a time are you saying?</p> <p>2 A. A day.</p> <p>3 Q. And how -- how long have you been holding</p> <p>4 that kind of schedule?</p> <p>5 A. For a year and three months.</p> <p>6 Q. When did Jaiden start in pre-K?</p> <p>7 A. Pre-K? He started last year, early pre-K,</p> <p>8 put him in early entry pre-K so he could get the</p> <p>9 experience.</p> <p>10 Q. Prior to that who was caring for him?</p> <p>11 A. I was.</p> <p>12 Q. Were you working night shifts at that same</p> <p>13 time?</p> <p>14 A. No.</p> <p>15 Q. So were you working at all or were you</p> <p>16 home with him? I mean, being home with him is work,</p> <p>17 so I don't mean to say that, but were you working</p> <p>18 outside the home in addition?</p> <p>19 A. No. I was a stay-at-home mom because</p> <p>20 Tatiana was born with a kidney issue, so I was taking</p> <p>21 care of her.</p> <p>22 Q. So you were home with both of them?</p> <p>23 A. Yes.</p> <p>24 Q. What kind of kidney issue was Tatiana born</p> <p>25 with?</p>
<p style="text-align: right;">Page 15</p> <p>1 A. Uh-huh.</p> <p>2 Q. Each way?</p> <p>3 A. Yes.</p> <p>4 Q. So usually you'll leave around 8 p.m. and</p> <p>5 get home around 6 a.m.?</p> <p>6 A. Yes.</p> <p>7 Q. Is that fair?</p> <p>8 A. Mm-hmm.</p> <p>9 Q. What time does Tatiana wake up?</p> <p>10 A. She wakes up around 9 to 10 in the</p> <p>11 morning.</p> <p>12 Q. And what time is bedtime at your house for</p> <p>13 the kids?</p> <p>14 A. Nine, 9 to 9:30.</p> <p>15 Q. Nine to 9:30 p.m.?</p> <p>16 A. Yes.</p> <p>17 Q. Does Tatiana nap?</p> <p>18 A. No.</p> <p>19 Q. When do you sleep during your usual</p> <p>20 schedule?</p> <p>21 A. On the weekends. Honestly, on the</p> <p>22 weekends.</p> <p>23 Q. What -- how much sleep do you -- do you</p> <p>24 estimate you get during the workweek?</p> <p>25 A. Sometimes 30 minutes, 45 minutes.</p>	<p style="text-align: right;">Page 17</p> <p>1 A. She was born with a dilated kidney.</p> <p>2 Q. And I'm not a medical person, so what does</p> <p>3 that mean, just in basic terms?</p> <p>4 A. One kidney was bigger than the other one</p> <p>5 because it was filled with, like, fluids and stuff.</p> <p>6 Q. That's something you said she was born</p> <p>7 with?</p> <p>8 A. Yes.</p> <p>9 Q. Has she been able to be treated for that?</p> <p>10 A. Yes. She received surgery and everything.</p> <p>11 Q. How is she doing now?</p> <p>12 A. She's doing good. Thank you.</p> <p>13 Q. When did she have her surgery?</p> <p>14 A. April of 2017.</p> <p>15 Q. Will she require more surgeries or</p> <p>16 treatments for this kidney problem?</p> <p>17 A. Just exams, MRIs and MAG3 scans,</p> <p>18 ultrasounds.</p> <p>19 Q. How frequently would you say she goes in</p> <p>20 for medical care?</p> <p>21 A. Due to the kidney, at first it was</p> <p>22 every -- every two weeks, but then after the surgery</p> <p>23 it was every six months.</p> <p>24 Q. Is she going to a specialist or her</p> <p>25 regular pediatrician for the follow-up care?</p>

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<p>1 A. A specialist.</p> <p>2 Q. Does she also go to a regular</p> <p>3 pediatrician?</p> <p>4 A. Yes, she does.</p> <p>5 Q. Is that a general practitioner, family</p> <p>6 medicine kind of person?</p> <p>7 A. Kaiser.</p> <p>8 Q. Do your other children get medical care?</p> <p>9 A. Yes.</p> <p>10 Q. Do they see a pediatrician as well?</p> <p>11 A. Yes.</p> <p>12 Q. Is Lucy still seeing a pediatrician?</p> <p>13 A. Yes, she is.</p> <p>14 Q. Is she seeing an obstetrician/gynecologist</p> <p>15 as well?</p> <p>16 A. I haven't taken her yet, but -- I just</p> <p>17 don't feel comfortable taking her yet. It's</p> <p>18 something that we have talked about.</p> <p>19 Q. And, again, she's 14, right?</p> <p>20 A. Yes.</p> <p>21 Q. What grade is she in?</p> <p>22 A. She's in high school. She's in ninth</p> <p>23 grade.</p> <p>24 Q. She just started high school?</p> <p>25 A. (Nodding head up and down.)</p>	<p>1 Do I have your address correct, 12705 Live Oak</p> <p>2 Place, Upper Marlboro, Maryland?</p> <p>3 A. Yes.</p> <p>4 Q. I may have said that a little bit off, but</p> <p>5 that's the right address?</p> <p>6 A. Yes, it is.</p> <p>7 Q. Okay. Did you graduate from high school?</p> <p>8 A. Yes, I did.</p> <p>9 Q. Have you gone to any school after that?</p> <p>10 A. I went to college, Everest and Kaplan</p> <p>11 University.</p> <p>12 Q. Did you get a degree?</p> <p>13 A. Unfortunately, I was unable to finish.</p> <p>14 Mommy duties first.</p> <p>15 Q. How much do you have left?</p> <p>16 A. I only had six months left.</p> <p>17 Q. When did you stop attending school?</p> <p>18 A. 2013, '14.</p> <p>19 Q. And you referred to it as "mommy duties"</p> <p>20 taking you out of school, so tell me about which</p> <p>21 child joined you that you -- or how that worked that</p> <p>22 you ended up leaving school?</p> <p>23 A. I was working. I was working two jobs to</p> <p>24 take care of, at the time, three children, so I</p> <p>25 had --</p>
Page 19	Page 21
<p>1 Q. This week?</p> <p>2 A. Yes.</p> <p>3 Q. Do Tatiana, Jaiden, Josiah, Nestor and</p> <p>4 Lucy all go to the same pediatrician?</p> <p>5 A. No. Josiah goes to Children's in Clinton,</p> <p>6 because he has a different insurance than what they</p> <p>7 have. And then Jaiden and Angel, they have the same</p> <p>8 pediatrician. And then Lucy and Tatiana have the</p> <p>9 same pediatrician.</p> <p>10 Q. And you referred to one of your children</p> <p>11 as "Angel." Which one of your children do you call</p> <p>12 Angel?</p> <p>13 A. Oh, I'm sorry. Nestor. I'm so sorry.</p> <p>14 Q. No, no reason to apologize, but Nestor</p> <p>15 also goes by Angel sometimes?</p> <p>16 A. Yes. That's his middle name.</p> <p>17 Q. And I'm sorry to be a little forward about</p> <p>18 this, but these five children are yours. Did you</p> <p>19 birth each of them?</p> <p>20 A. Yes, I did.</p> <p>21 Q. Okay. I just wanted to make sure I</p> <p>22 understood whether I needed to come to you in a</p> <p>23 different way.</p> <p>24 Do I have your address correct, 12 -- sorry.</p> <p>25 I'm going to start over with the number.</p>	<p>1 Q. That was when you had Lucy, Angel and</p> <p>2 Josiah?</p> <p>3 A. Correct.</p> <p>4 Q. You said you were working two jobs. What</p> <p>5 jobs were you working then when you were also taking</p> <p>6 care of your three children?</p> <p>7 A. I was a concierge in D.C., and I was also</p> <p>8 doing hair on the side, hairdresser.</p> <p>9 Q. At a salon or in people's homes?</p> <p>10 A. In a salon, which is owned by Nestor and</p> <p>11 Lucy's grandmother.</p> <p>12 Q. When, compared to that timing, did you get</p> <p>13 a certificate for being a security guard?</p> <p>14 A. I got that around 2010. I was working at</p> <p>15 Howard University as a security guard on the campus,</p> <p>16 and then I got my SPO and started working at George</p> <p>17 Washington Hospital.</p> <p>18 Q. You used the acronym "SPO." What does</p> <p>19 that stand for?</p> <p>20 A. Special police officer.</p> <p>21 Q. So am I correct that -- you said that was</p> <p>22 in 2010, so that was before the time that you left</p> <p>23 Everest and Kaplan from going to school, so that was</p> <p>24 before you were working, like you said, the two jobs,</p> <p>25 working doing hair and as a concierge in D.C.?</p>

<p style="text-align: right;">Page 22</p> <p>1 A. Yes.</p> <p>2 Q. When did you switch to being a</p> <p>3 stay-at-home mom?</p> <p>4 A. After I had Jaiden in 2014.</p> <p>5 Q. Was it immediately after having Jaiden?</p> <p>6 A. Yes.</p> <p>7 Q. Had you been working while you were</p> <p>8 pregnant with Jaiden?</p> <p>9 A. Yes, I did.</p> <p>10 Q. In -- in what job?</p> <p>11 A. Concierge in D.C.</p> <p>12 Q. Were you still working at the salon?</p> <p>13 A. No.</p> <p>14 Q. So it was just the one job as a concierge</p> <p>15 in D.C. --</p> <p>16 A. Yes.</p> <p>17 Q. -- while you were pregnant with Jaiden?</p> <p>18 A. Yes.</p> <p>19 Q. When did you make the decision you wanted</p> <p>20 to switch to be a stay-at-home mom?</p> <p>21 A. After I had Jaiden, I didn't have any</p> <p>22 help, so with a newborn and then three other</p> <p>23 children, I had no choice but to stop working.</p> <p>24 Q. Does Mr. Powell work?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 24</p> <p>1 A. Yes.</p> <p>2 Q. And you have full-time care, then,</p> <p>3 responsibility for them as well?</p> <p>4 A. Yes.</p> <p>5 Q. And I think I had asked but just to</p> <p>6 confirm, Lucy, Angel and Josiah are all in school as</p> <p>7 well?</p> <p>8 A. Correct.</p> <p>9 Q. How do they get to and from school? Do</p> <p>10 they take a school bus?</p> <p>11 A. Lucy takes a school bus. I drop and pick</p> <p>12 up Nestor, Josiah and Jaiden.</p> <p>13 Q. And does that involve taking Tatiana with</p> <p>14 you to go do drop-offs?</p> <p>15 A. Sometimes it does when her father is not</p> <p>16 home.</p> <p>17 Q. For pick-ups as well?</p> <p>18 A. Yes.</p> <p>19 Q. And how far is Angel and Josiah's school</p> <p>20 from where you live?</p> <p>21 A. Angel and Josiah's school, from where I</p> <p>22 live, is about 20 to 25 minutes --</p> <p>23 Q. And how --</p> <p>24 A. -- without traffic.</p> <p>25 Q. And how far is Jaiden's pre-K from their</p>
<p style="text-align: right;">Page 23</p> <p>1 Q. What is his job?</p> <p>2 A. He's a Prince George's County police</p> <p>3 officer.</p> <p>4 Q. What kind of schedule does he work?</p> <p>5 A. Crazy schedule. Sometimes he -- he works</p> <p>6 evenings for four days, and sometimes he works day</p> <p>7 work for four days or five days. Then every three to</p> <p>8 four months he works midnights for a whole month.</p> <p>9 Q. Is his job shift work as well, so he'll</p> <p>10 know he's on a certain time and he's off a certain</p> <p>11 time --</p> <p>12 A. Yes.</p> <p>13 Q. -- when he gets his schedule?</p> <p>14 A. Yes. He gets his schedule for the whole</p> <p>15 entire year.</p> <p>16 Q. Oh, all at once?</p> <p>17 A. All at once, yeah.</p> <p>18 Q. How long has he been a police officer?</p> <p>19 A. Six years.</p> <p>20 Q. Is that the entire -- that's through the</p> <p>21 whole time you've been married he's been a police</p> <p>22 officer?</p> <p>23 A. Yes.</p> <p>24 Q. Do you have full custody of Lucy, Angel</p> <p>25 and Josiah?</p>	<p style="text-align: right;">Page 25</p> <p>1 school?</p> <p>2 A. Five minutes.</p> <p>3 Q. So do you do that in sort of one trip; you</p> <p>4 go drop all the kiddoes off at school?</p> <p>5 A. Yes.</p> <p>6 Q. I think in the Dimensions litigation you</p> <p>7 testified about working for a company called MVM; is</p> <p>8 that correct?</p> <p>9 A. (Nodding head up and down.)</p> <p>10 Q. How is that related, if at all, to the job</p> <p>11 you have at NIH?</p> <p>12 A. MVM -- I started with MVM at NIH. So the</p> <p>13 contract was almost over, so Paragon took over.</p> <p>14 Q. Did your job responsibilities change</p> <p>15 between when it shifted from MVM to Paragon?</p> <p>16 A. Nope. Same duties, same shift, same</p> <p>17 schedule.</p> <p>18 Q. So the answers you gave in the Dimensions</p> <p>19 litigation about your job would still hold true</p> <p>20 today?</p> <p>21 A. Correct.</p> <p>22 Q. When were you most recently seen by a</p> <p>23 doctor for anything?</p> <p>24 A. About two or three months ago.</p> <p>25 Q. For what?</p>

1 A. I was having [REDACTED].
 2 Q. In like your [REDACTED]?
 3 A. On my -- [REDACTED] a little bit up from my
 4 [REDACTED]
 5 Q. Yeah.
 6 A. So they said I had an [REDACTED].
 7 Q. Did you have to have any treatment for
 8 that?
 9 A. Ibuprofen. They mostly recommended
 10 ibuprofen and, of course, take it easy. Iron
 11 tablets, because I also suffer from low iron, and
 12 it's called -- something called thalassemia alpha
 13 trait.
 14 Q. Do you know what that was for?
 15 A. It's something that I've always had. You
 16 have -- your blood cells, low blood cells, yeah.
 17 Q. You say that's something you've always
 18 had, since you were a child?
 19 A. Yes.
 20 Q. And is that a medication you've taken
 21 since you were a child?
 22 A. Well, they mainly recommend to take iron
 23 tablets.
 24 Q. Besides the medications you just
 25 described, do you take any other medications?

1 A. No.
 2 Q. Besides going in two to three months ago
 3 when you were [REDACTED]
 4 [REDACTED]
 5 checkups?
 6 A. No.
 7 Q. Do you have a primary care physician?
 8 A. Yes.
 9 Q. Who is that?
 10 A. It was Emily Lo, but they've changed her,
 11 and, honestly, I do not remember her name, the new
 12 one that I have. I haven't seen her yet.
 13 Q. Do you plan to go see her?
 14 A. No.
 15 Q. When you went in two to three months ago
 16 because [REDACTED]
 17 [REDACTED] he
 18 emergency room?
 19 A. I went to Kaiser Urgent Care.
 20 Q. Were you admitted to the hospital?
 21 A. No.
 22 Q. Were you released the same day?
 23 A. Yes.
 24 Q. Prior to that visit to the Kaiser Urgent
 25 Care, do you remember the time before that you were

1 most recently treated by a doctor?
 2 A. After that I saw Emily Lo, which is my --
 3 was my primary. I had a [REDACTED]
 4 [REDACTED]
 5 Q. Is that the treatment that you discussed
 6 at your last deposition you got cough medicine for?
 7 A. Yes.
 8 Q. Prior to that, do you remember when you
 9 last went to a primary care physician or any doctor?
 10 A. Prior to that I was at the emergency room
 11 at Southern Maryland because I was having [REDACTED]
 12 [REDACTED] They said I had an [REDACTED]
 13 Q. Do you know [REDACTED] they were
 14 saying it was?
 15 A. No. I never followed up.
 16 Q. Did that pain stop?
 17 A. Yes.
 18 Q. Do you still have that pain today?
 19 A. No.
 20 Q. Do you recall any other visits to the
 21 emergency room you've ever made for yourself?
 22 A. No. Besides that one, no.
 23 Q. Aside from any times you may have been in
 24 the hospital when you were delivering your children,
 25 do you remember ever being hospitalized?

1 A. No, just when I delivered the children.
 2 Q. Did you deliver each of your children in a
 3 hospital?
 4 A. Yes.
 5 Q. Was each of your children delivered by an
 6 OB/GYN?
 7 A. Yes.
 8 Q. And when I say OB/GYN, you know what I'm
 9 talking about, an obstetrician/gynecologist?
 10 A. Yes, I do.
 11 Q. It would be easier if I could say the
 12 shorter one. Thank you.
 13 Have you ever been treated by or seen a
 14 midwife or a doula?
 15 A. No.
 16 Q. Do you know what a midwife or a doula --
 17 do you know what they are?
 18 A. Yes.
 19 Q. Do you currently have an OB/GYN?
 20 A. Yes, I do.
 21 Q. Who is that?
 22 A. Honestly, I do not know her name.
 23 Q. Is that -- is that through Kaiser?
 24 A. Yes. I haven't seen her yet.
 25 Q. It's a woman?

1 A. From what my primary care physician said,
 2 yes, it's a woman.
 3 Q. When you said your primary care physician
 4 said, is that Emily Lo?
 5 A. No, it's the new lady I have. I haven't
 6 seen her yet either.
 7 Q. You haven't seen her, but have you spoken
 8 to her?
 9 A. I have messaged her --
 10 Q. Tell --
 11 A. -- through the Kaiser app.
 12 Q. Tell me a little bit about your messages
 13 with the primary care physician.
 14 A. When I got discharged from Urgent Care,
 15 they did some scans, and they said they were going to
 16 send it to her. A couple days passed by, I didn't
 17 hear anything, so I sent her a couple messages.
 18 That's when she finally wrote back and said
 19 that, you know [REDACTED] and I had
 20 to take it easy. If the pain came back, take
 21 ibuprofen, and if the symptoms get worse, to contact
 22 her and go see her. And that's when she said that I
 23 have to go see an OB/GYN, because also I have
 24 [REDACTED] which she was concerned about.
 25 [REDACTED]

1 Q. What kind of birth control was that?
 2 A. -- when I got pregnant with Jaiden. I was
 3 on the depo shot.
 4 Q. Did you continue on that treatment after
 5 you had Jaiden?
 6 A. No.
 7 Q. Did you switch to a different kind of
 8 birth control, or did you come off of birth control?
 9 A. I came off birth control.
 10 Q. Have you ever received treatment from a
 11 psychologist or a psychiatrist?
 12 A. No.
 13 Q. Have you ever --
 14 A. I never went to see one, no.
 15 Q. Have you ever gotten treatment from any
 16 sort of counselor?
 17 A. No.
 18 Q. Generally speaking, how do you choose your
 19 doctors?
 20 A. Kaiser chooses them, and sometimes I could
 21 switch, but I don't because, like I said, I don't go
 22 see them unless I'm seriously injured or seriously in
 23 pain.
 24 Q. You said Kaiser chooses them. Is Kaiser
 25 your insurance company?

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 Q. Was that between certain of your children,
 15 do you remember?
 16 A. Yes. Yes, Josiah.
 17 Q. After Josiah?
 18 A. After Josiah. Actually was it after
 19 Josiah? Yeah. Jaiden.
 20 Q. After Jaiden?
 21 A. It was after Jaiden.
 22 Q. And after you delivered Jaiden, at any
 23 point did you go on to birth control of any sort?
 24 A. I was on birth control when I had
 25 Jaiden --

1 A. Yes.
 2 Q. Is that insurance that you have through
 3 your or your husband's employment?
 4 A. My husband's employment.
 5 Q. When did you get on to your husband's
 6 Kaiser insurance?
 7 A. In 2015.
 8 Q. Upon getting married?
 9 A. Yes.
 10 Q. Did you have insurance before that?
 11 A. Yes, I did.
 12 Q. What insurance did you have then?
 13 A. It was through the state, Medicaid.
 14 Q. So just trying to understand the timing of
 15 getting on to Kaiser insurance as compared to your --
 16 the birth of your children, did you switch to Kaiser
 17 insurance while you were pregnant with Jaiden?
 18 A. No.
 19 Q. Can you explain that to me, how that
 20 timing worked?
 21 A. I had Medicaid when I was pregnant with
 22 Jaiden. Then once I got married, my husband put the
 23 children and I on Kaiser.
 24 Q. That was after you had Jaiden?
 25 A. After I had Jaiden, correct.

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<p>1 Q. Thank you for straightening out my 2 timeline. 3 Where did you deliver Tatiana? 4 A. Holy Cross, Montgomery -- Montgomery 5 County. 6 Q. Who was your OB/GYN who delivered Tatiana? 7 A. Mr. Kingsley. It was through Kaiser. 8 Q. Is he the doctor you saw for any prenatal 9 care for her? 10 A. Yes. 11 Q. And you sought prenatal care while you 12 were pregnant with Tatiana? 13 A. Yes. 14 Q. How regularly? 15 A. First it was every -- every two to three 16 weeks, and then every -- once I got to, like, six 17 months or so, it was every -- every often. 18 Q. When they told you to come? 19 A. Yes. 20 Q. And you saw Dr. Kingsley for ultrasounds, 21 physical exams, that sort of thing? 22 A. Yes. Correct. 23 Q. How did you select Dr. Kingsley as your 24 OB/GYN? 25 A. I went to Kaiser when I first found out I</p>	<p>1 A. No. 2 Q. When you first started going to see 3 Dr. Kingsley, did you check out his résumé or his 4 credentials, anything like that? 5 A. Yes, I did my research. 6 Q. What -- 7 A. Kaiser has a website which tells you his 8 experience and stuff like that, every hospital that 9 he has worked on. 10 Q. And did you do research into his 11 certifications or education? 12 A. No, because Kaiser had all that laid out 13 on their website. 14 Q. So fair to say you checked out what Kaiser 15 had? 16 A. What Kaiser had. 17 Q. You mentioned that Kaiser -- with Kaiser, 18 you're able to ask to switch doctors -- 19 A. Yes. 20 Q. -- in some -- have you ever done that? 21 A. No. 22 Q. When you had Medicaid, did you ever ask to 23 switch doctors? 24 A. No. 25 Q. When you had Medicaid, how was it that you</p>
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<p>1 was pregnant, and he was the one that, you know, did 2 all the exam and stuff, and then I just kept him from 3 there. 4 Q. And you stuck with him from there? 5 A. Mm-hmm. 6 Q. And did he do post-delivery treatment for 7 you after you had Tatiana? 8 A. Yes. 9 Q. When did you last see Dr. Kingsley? 10 A. For my six-weeks checkup, and then that 11 was it. 12 Q. So you went to your six-week checkup? 13 A. Mm-hmm. 14 Q. That's a yes? 15 A. Yes. I'm sorry. Yes. 16 Q. How old was Tatiana when her kidney issue 17 sort of presented itself, when you found out she had 18 a kidney problem? 19 A. I was pregnant when they detected it. 20 Q. Oh, you knew when you were pregnant? 21 A. Mm-hmm. Yes. I was eight months pregnant 22 when they detected it. 23 Q. Aside from Tatiana's kidney issue, have 24 any of your other children had any health issues 25 other than broken bones or normal kid stuff?</p>	<p>1 went about finding a doctor? 2 A. They have a list of doctors nearby, so I 3 chose the one that was closer to where I lived. 4 Q. Would it be fair to say they have certain 5 doctors that are considered like in network or that 6 you can -- you're sort of covered if you go see them? 7 A. Yes. 8 Q. And you said you -- you selected those 9 doctors by proximity, how close they were to you? 10 A. Yes. 11 Q. Did you do any other research other than 12 figuring out how close they were to you? 13 A. No. 14 Q. How did you know where they were located 15 about whether they were close to you or not? 16 A. The address. 17 Q. So did the list that was provided to you 18 include their addresses? 19 A. Yes. 20 Q. Fair to say that, when you had Medicaid, 21 you did nothing other than look at the list that 22 Medicaid provided to you with the names and addresses 23 of the doctors available to you? 24 A. Correct. 25 Q. Do you remember who your OB/GYN was who</p>

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<p>1 delivered Lucy? It was a long time ago.</p> <p>2 A. It was in Manassas, Virginia, but I do not</p> <p>3 remember.</p> <p>4 Q. Was it a man OB/GYN or a woman OB/GYN?</p> <p>5 A. I -- Jesus Christ. I do not remember,</p> <p>6 honestly.</p> <p>7 Q. Okay. But it was -- it was an OB/GYN,</p> <p>8 though, who delivered you then?</p> <p>9 A. Yes, yes.</p> <p>10 Q. Did you have a different doctor to deliver</p> <p>11 Angel?</p> <p>12 A. Yes. That was in Fairfax County, and I do</p> <p>13 not remember. I do not remember. Josiah, he was a</p> <p>14 male.</p> <p>15 Q. The OB/GYN was a male?</p> <p>16 A. Yes.</p> <p>17 Q. And where was he located, generally</p> <p>18 speaking?</p> <p>19 A. In Arlington, Virginia hospital.</p> <p>20 Q. How did you come to select your OB/GYN to</p> <p>21 deliver Jaiden?</p> <p>22 A. So I was seeing the lady -- it was a lady</p> <p>23 at first on Saint Barnabas Road, which was close to</p> <p>24 where I lived at the time. So after I became six</p> <p>25 months, she said that she had to refer me to another</p>	<p>1 A. Yes, his office.</p> <p>2 Q. So just tell me a little bit about how</p> <p>3 that works. Did you call up to make an appointment</p> <p>4 at Dr. Chaudhry's practice? Did the lady OB/GYN call</p> <p>5 for you and make appointments, or how did that</p> <p>6 transition happen, if you remember?</p> <p>7 A. She gave me the referral. I called up</p> <p>8 there and made an appointment. So when I got to my</p> <p>9 appointment, they said that Dr. Chaudhry had to step</p> <p>10 out, but Dr. Akoda was there. So I said, that's</p> <p>11 fine, I just need to get care, I don't care who I</p> <p>12 see. I was at my last stage of pregnancy.</p> <p>13 Q. You were about six months, you said?</p> <p>14 A. About six months, yes. So then that's</p> <p>15 when I saw Dr. Akoda, and then all my regular</p> <p>16 visits -- two weeks after that, every two weeks.</p> <p>17 Q. Starting every two weeks?</p> <p>18 A. Yes.</p> <p>19 Q. Where did those visits take place?</p> <p>20 A. At Dr. Chaudhry's office in District</p> <p>21 Heights.</p> <p>22 Q. Prior to going to Dr. Chaudhry's practice,</p> <p>23 did you do any research into him, Dr. Chaudhry?</p> <p>24 A. No.</p> <p>25 Q. Can you tell me just a little bit about</p>
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<p>1 doctor's office, because that's when she stopped</p> <p>2 seeing patients.</p> <p>3 Q. You said it was a lady, so it was a female</p> <p>4 OB/GYN?</p> <p>5 A. Yes.</p> <p>6 Q. Did she refer you to another doctor?</p> <p>7 A. Yes.</p> <p>8 Q. To whom did she refer you?</p> <p>9 A. Dr. Chaudhry.</p> <p>10 Q. Is Dr. Chaudhry an OB/GYN?</p> <p>11 A. Yes.</p> <p>12 Q. Where is he located?</p> <p>13 A. In District Heights.</p> <p>14 Q. How close to you is that?</p> <p>15 A. At the time where I lived, it was about 15</p> <p>16 minutes.</p> <p>17 Q. Did you move at some point since then?</p> <p>18 A. Yes, I did.</p> <p>19 Q. Have you moved more than once since then?</p> <p>20 A. Since then, yes.</p> <p>21 Q. And so did you actually ever go see</p> <p>22 Dr. Chaudhry?</p> <p>23 A. I did not see Dr. Chaudhry. He was never</p> <p>24 in there. I saw Dr. Akoda.</p> <p>25 Q. Did you go to Dr. Chaudhry's practice?</p>	<p>1 what Dr. Chaudhry's practice looked like? Is there a</p> <p>2 reception area, a waiting room, that kind of thing?</p> <p>3 A. There was a waiting -- a waiting room, and</p> <p>4 then on the left-hand side, it's the entrance, and</p> <p>5 then there's the receptionist, and then on the</p> <p>6 right-hand side is the rooms, the examination rooms.</p> <p>7 Q. Were there nurses or other medical</p> <p>8 professionals who worked there as well as the</p> <p>9 doctors?</p> <p>10 A. Nurses. There was nurses.</p> <p>11 Q. Did you see other patients there while you</p> <p>12 were there?</p> <p>13 A. Yes.</p> <p>14 Q. In the waiting room?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. Aside from Dr. Akoda, were you ever</p> <p>17 treated by any other physician at Dr. Chaudhry's</p> <p>18 practice?</p> <p>19 A. No.</p> <p>20 Q. So you said it started out with Dr. Akoda</p> <p>21 that your appointments were about every two weeks?</p> <p>22 A. Yes.</p> <p>23 Q. At some point did that become more</p> <p>24 frequent?</p> <p>25 A. When I got closer to my due date.</p>

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<p>1 Q. They began weekly?</p> <p>2 A. Yes.</p> <p>3 Q. Did your labor with Jaiden begin</p> <p>4 naturally?</p> <p>5 A. Yes. I was induced.</p> <p>6 Q. Who induced you?</p> <p>7 A. Dr. Akoda.</p> <p>8 Q. Where?</p> <p>9 A. PGH hospital.</p> <p>10 Q. Did you have an appointment for that?</p> <p>11 A. Yes.</p> <p>12 Q. Why?</p> <p>13 A. Because from my understanding that was the</p> <p>14 policy. You had to make an appointment to get</p> <p>15 induced.</p> <p>16 Q. How far along were you when you were</p> <p>17 induced, do you recall?</p> <p>18 A. I was almost nine months, eight and a half</p> <p>19 to nine.</p> <p>20 Q. Do you remember if there was a medical</p> <p>21 reason that you needed to get induced?</p> <p>22 A. No.</p> <p>23 Q. So is it fair to say that you had an</p> <p>24 appointment to get induced and then you showed up at</p> <p>25 PGH hospital then to actually be induced --</p>	<p>1 A. It was hours.</p> <p>2 Q. Hours?</p> <p>3 A. It was hours, and induced me on the 16th</p> <p>4 and he wasn't born until the 17th, so about -- tell</p> <p>5 you, it was more than nine, ten hours.</p> <p>6 Q. Nine to ten hours of labor? Did you have</p> <p>7 an epidural?</p> <p>8 A. Yes, I did.</p> <p>9 Q. Did it work?</p> <p>10 A. Yes.</p> <p>11 Q. Who was your treating physician while you</p> <p>12 were in labor?</p> <p>13 A. It was -- I know Dr. Akoda was there, and</p> <p>14 there was another lady in there. I do not remember.</p> <p>15 Q. Another physician?</p> <p>16 A. Yeah -- no, it's the nurse.</p> <p>17 Q. Oh, the nurse.</p> <p>18 A. The nurses. It was two nurses and</p> <p>19 Dr. Akoda.</p> <p>20 Q. Did you have an anesthesiologist come and</p> <p>21 place the epidural?</p> <p>22 A. Yes.</p> <p>23 Q. And that was a different doctor?</p> <p>24 A. Yes.</p> <p>25 Q. Do you remember if that was a lady or a</p>
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<p>1 A. Yes.</p> <p>2 Q. -- at the time of your appointment?</p> <p>3 A. Yes.</p> <p>4 Q. And at the time of your appointment, did</p> <p>5 you expect it would be Dr. Akoda who would be doing</p> <p>6 the induction?</p> <p>7 A. I honestly didn't know who was coming, if</p> <p>8 it was Chaudhry or Akoda.</p> <p>9 Q. Sure.</p> <p>10 A. Yeah, just...</p> <p>11 Q. But either of those two from that</p> <p>12 practice?</p> <p>13 A. Yes.</p> <p>14 Q. Have you ever been treated by</p> <p>15 Dr. Chaudhry?</p> <p>16 A. No.</p> <p>17 Q. Have you ever seen Dr. Chaudhry in person?</p> <p>18 A. I saw him going out the door, but that --</p> <p>19 that was it.</p> <p>20 Q. Did you ever meet him?</p> <p>21 A. Just saw him going out the door. I never</p> <p>22 actually, you know, met, hey, doctor, no.</p> <p>23 Q. How long was your labor with Jaiden?</p> <p>24 A. Ooh.</p> <p>25 Q. Sorry for needing to ask, but...</p>	<p>1 man doctor?</p> <p>2 A. That was a man doctor.</p> <p>3 Q. Were you able to deliver Jaiden vaginally?</p> <p>4 A. Yes.</p> <p>5 Q. Have you ever had to have a C-section for</p> <p>6 any of your deliveries?</p> <p>7 A. No.</p> <p>8 Q. Have you ever had complications from any</p> <p>9 of your deliveries?</p> <p>10 A. Yes.</p> <p>11 Q. Tell me about that.</p> <p>12 A. So after I had Jaiden, my bleeding was</p> <p>13 really heavy. I had to change my -- the padding</p> <p>14 every three to five seconds, and it was going through</p> <p>15 the sheets and everything. So I had texted a friend</p> <p>16 who was also being seen at Dr. Chaudhry's office, and</p> <p>17 I had sent her a picture.</p> <p>18 I said, I don't think this is normal, because</p> <p>19 it was blood clots as well. It was bigger than</p> <p>20 normal blood clots. So that's when she said, it's</p> <p>21 not, you need to tell the nurse that she needs to get</p> <p>22 the doctor in there as soon as possible.</p> <p>23 So that's when I told the nurse, and she</p> <p>24 called the doctor, Dr. Akoda. He came in, and he</p> <p>25 kept saying, I'm sorry, I should have detected it</p>

<p style="text-align: right;">Page 46</p> <p>1 sooner, I'm so sorry, we're getting the O.R. ready</p> <p>2 for you. So they rushed me to the O.R.</p> <p>3 Next thing you know, I woke up with tubes</p> <p>4 everywhere, and I was just crying. I didn't know --</p> <p>5 I was concerned about my baby. I didn't know what</p> <p>6 was going on, why was I bleeding, why these blood</p> <p>7 clots were so huge. I just -- I didn't know.</p> <p>8 Q. Did this take place while you were at PGH</p> <p>9 hospital?</p> <p>10 A. Yes.</p> <p>11 Q. Was -- how long in time was it after you</p> <p>12 had delivered Jaiden?</p> <p>13 A. It was about two or three after I had him.</p> <p>14 Q. Two to three hours, so it was that same</p> <p>15 day?</p> <p>16 A. Uh-huh, it was the same day.</p> <p>17 Q. Do you remember what time of day you</p> <p>18 delivered Jaiden?</p> <p>19 A. Actually I do not remember what time.</p> <p>20 Q. Sure. Who was the friend that you texted?</p> <p>21 A. Her name is Tisa. I call her Tisa,</p> <p>22 Latisa.</p> <p>23 Q. Latisa?</p> <p>24 A. Latisa.</p> <p>25 Q. What's her last name?</p>	<p style="text-align: right;">Page 48</p> <p>1 A. He was the one who removed the bandages at</p> <p>2 the hospital.</p> <p>3 Q. After the surgery?</p> <p>4 A. After the surgery.</p> <p>5 Q. Okay. Where were the bandages?</p> <p>6 A. In -- inside me.</p> <p>7 Q. Inside your vaginal canal?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. But they didn't have to cut open</p> <p>10 your abdomen at all?</p> <p>11 A. No.</p> <p>12 Q. Okay. And, I'm sorry, you -- you had said</p> <p>13 that after you were released from the hospital, then</p> <p>14 your post-delivery recovery from Jaiden was normal?</p> <p>15 A. Mm-hmm.</p> <p>16 Q. Is that a yes?</p> <p>17 A. Yes.</p> <p>18 Q. Did Jaiden have any complications from his</p> <p>19 delivery?</p> <p>20 A. No.</p> <p>21 Q. Was Jaiden a good eater?</p> <p>22 A. Picky eater.</p> <p>23 Q. Well, as an infant, was he breastfed?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. And how did he do with feeding?</p>
<p style="text-align: right;">Page 47</p> <p>1 A. Gaymon.</p> <p>2 Q. Does it start with a G?</p> <p>3 A. G, yes.</p> <p>4 Q. So you -- you had the bleeding and the</p> <p>5 blood clots that you found to be troubling, and you</p> <p>6 told a nurse then?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And the nurse went and got</p> <p>9 Dr. Akoda; is that right?</p> <p>10 A. Yes.</p> <p>11 Q. And Dr. Akoda came and he took you to</p> <p>12 surgery?</p> <p>13 A. Yes.</p> <p>14 Q. Do you know who conducted the surgery for</p> <p>15 you?</p> <p>16 A. It was Dr. Akoda.</p> <p>17 Q. How long were you in the hospital after</p> <p>18 you delivered Jaiden?</p> <p>19 A. Three days. Two to three days.</p> <p>20 Q. After the surgery that you had from</p> <p>21 Dr. Akoda after delivering Jaiden, how was your</p> <p>22 recovery?</p> <p>23 A. You know what? The recovery was fine. I</p> <p>24 did meet Dr. Chaudhry.</p> <p>25 Q. Tell me about that.</p>	<p style="text-align: right;">Page 49</p> <p>1 A. Lasted about two weeks, and then he would</p> <p>2 just take Similac.</p> <p>3 Q. He wanted to switch to formula?</p> <p>4 A. Yes.</p> <p>5 Q. And bottles?</p> <p>6 A. Yes.</p> <p>7 Q. And how was he as a sleeper after</p> <p>8 delivery?</p> <p>9 A. A good sleeper.</p> <p>10 Q. Did you breastfeed all your children?</p> <p>11 A. Yes.</p> <p>12 Q. How long did you breastfeed Tatiana for?</p> <p>13 A. Seven months.</p> <p>14 Q. Aside from the bleeding and the clots that</p> <p>15 you had after delivering Jaiden, did you have any</p> <p>16 other concerns about your delivery of Jaiden?</p> <p>17 A. I did. Because, like I said, I'm [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 Q. Did you ask?</p> <p>22 A. I did, but I never got the answer.</p> <p>23 Q. When you say you asked, who did you ask?</p> <p>24 A. I asked Dr. Akoda.</p> <p>25 Q. While you were in the hospital?</p>

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<p>1 A. Yes.</p> <p>2 Q. Do you know if you signed a consent form</p> <p>3 to get a blood transfusion?</p> <p>4 A. I don't remember, honestly.</p> <p>5 Q. Do you know if they talked to you about</p> <p>6 getting a blood transfusion before you went into</p> <p>7 labor?</p> <p>8 A. I don't remember.</p> <p>9 Q. Any other concerns unrelated to the</p> <p>10 bleeding and the clotting issue from your delivery</p> <p>11 with Jaiden?</p> <p>12 A. Not after the delivery.</p> <p>13 Q. Okay. What about during the delivery?</p> <p>14 A. During, no.</p> <p>15 Q. Or before delivery?</p> <p>16 A. Before, no.</p> <p>17 Q. Let's get back to your prenatal care for</p> <p>18 Jaiden. You were going about once every two weeks</p> <p>19 once you were six months pregnant to see Dr. Akoda;</p> <p>20 is that correct?</p> <p>21 A. Correct.</p> <p>22 Q. And that was always at Dr. Chaudhry's</p> <p>23 medical practice?</p> <p>24 A. Correct.</p> <p>25 Q. Was that in a private exam room?</p>	<p>1 Q. So it wasn't the first time you went to</p> <p>2 see Dr. Akoda that this happened?</p> <p>3 A. It wasn't the first time, no.</p> <p>4 Q. And you went a couple times before that</p> <p>5 had happened?</p> <p>6 A. Correct.</p> <p>7 Q. Okay. You said he would examine your</p> <p>8 breasts. Do you mean like a breast exam?</p> <p>9 A. Yes.</p> <p>10 Q. Palpitating your breasts, feeling for</p> <p>11 lumps, that kind of thing?</p> <p>12 A. Correct.</p> <p>13 Q. The first time that you said Dr. Akoda</p> <p>14 began being flirtatious, following that, is that when</p> <p>15 you asked to have a nurse present for your next</p> <p>16 examination?</p> <p>17 A. Yes.</p> <p>18 Q. So was it one time that this happened with</p> <p>19 Dr. Akoda when you were alone with him?</p> <p>20 A. No, it was a few times.</p> <p>21 Q. So were you seen by Dr. Akoda alone after</p> <p>22 you had requested to have a nurse present?</p> <p>23 A. At first, yes. She would step out of the</p> <p>24 room, and then I wouldn't seen her. But then I said</p> <p>25 something again to the front desk requesting a nurse,</p>
Page 51	Page 53
<p>1 A. Yes.</p> <p>2 Q. Would you first get seen by a nurse for</p> <p>3 like blood pressure and weight and that kind of</p> <p>4 stuff?</p> <p>5 A. Yes.</p> <p>6 Q. And then when -- you would be taken back,</p> <p>7 and you would see Dr. Akoda?</p> <p>8 A. Correct.</p> <p>9 Q. Was a nurse with you for those</p> <p>10 examinations by Dr. Akoda?</p> <p>11 A. No.</p> <p>12 Q. Okay. Sometimes yes, sometimes no, or</p> <p>13 always no?</p> <p>14 A. At first no. Then after I requested one</p> <p>15 to be there.</p> <p>16 Q. And when did you request to have a nurse</p> <p>17 present with your examinations of Dr. Akoda?</p> <p>18 A. When Dr. Akoda was starting being very</p> <p>19 flirtatious.</p> <p>20 Q. When was that?</p> <p>21 A. He would do -- examine my breasts and</p> <p>22 stuff and make comments about I have nice breasts and</p> <p>23 stuff like that. So then I felt uncomfortable. That</p> <p>24 was -- I was eight months pregnant at that time,</p> <p>25 seven and a half to eight.</p>	<p>1 and from that point on, every time I saw him, there</p> <p>2 was a nurse present.</p> <p>3 Q. Do you remember, did they have female</p> <p>4 nurses, male nurses accommodation?</p> <p>5 A. Female.</p> <p>6 Q. All female nurses?</p> <p>7 A. It was all female nurses.</p> <p>8 Q. Was that true both for your prenatal care</p> <p>9 and for your delivery, they were all female nurses?</p> <p>10 A. Yes.</p> <p>11 Q. At any point after you said Dr. Akoda</p> <p>12 became flirtatious, did you ask to be seen instead by</p> <p>13 a different OB/GYN?</p> <p>14 A. No.</p> <p>15 Q. Other than the comments to you in</p> <p>16 connection with the breast exams, did Dr. Akoda do or</p> <p>17 say anything else that you felt was flirtatious?</p> <p>18 A. No, that was it.</p> <p>19 Q. And by "flirtatious" I also mean or sexual</p> <p>20 in any way. Do you understand that?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. So the answer is still no?</p> <p>23 A. Still no.</p> <p>24 MS. MCENROE: We've been going just about</p> <p>25 an hour. It might be a good time for a little break,</p>

<p style="text-align: right;">Page 54</p> <p>1 if that's okay.</p> <p>2 THE WITNESS: If that's what you guys want</p> <p>3 to do. I mean, I'm fine.</p> <p>4 MS. MCENROE: That sounds good. Let's</p> <p>5 take a quick break.</p> <p>6 MR. CERYES: Okay.</p> <p>7 VIDEO SPECIALIST: We're going off the</p> <p>8 record at 10:26.</p> <p>9 (Proceedings recessed.)</p> <p>10 VIDEO SPECIALIST: We're back on the</p> <p>11 record at 10:36.</p> <p>12 BY MS. MCENROE:</p> <p>13 Q. Ms. Powell, what, if anything, did you do</p> <p>14 to prepare for today's deposition?</p> <p>15 A. Just be here.</p> <p>16 Q. Did you review any documents in advance of</p> <p>17 today for your deposition?</p> <p>18 A. Yes, I did.</p> <p>19 Q. What did you review?</p> <p>20 A. For starters, the address.</p> <p>21 Q. That's good. Anything else?</p> <p>22 A. I had to remember again what ECFG [sic]</p> <p>23 was.</p> <p>24 Q. Anything else?</p> <p>25 A. That's -- that's mainly -- mainly what I</p>	<p style="text-align: right;">Page 56</p> <p>1 Q. Have you seen this deposition notice</p> <p>2 before?</p> <p>3 A. Yes.</p> <p>4 Q. Is that what you reviewed?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Aside from this amended notice of</p> <p>7 deposition, did you review anything else in</p> <p>8 preparation for your deposition today?</p> <p>9 A. No.</p> <p>10 Q. Did you look up any information on the</p> <p>11 Internet in preparation for today's deposition?</p> <p>12 A. No.</p> <p>13 Q. Did you speak with anyone to prepare for</p> <p>14 today's deposition?</p> <p>15 A. No.</p> <p>16 MR. CERYES: You can share the fact -- if</p> <p>17 we discussed, you can share the fact that we had</p> <p>18 communications, just not --</p> <p>19 A. That's including my lawyer?</p> <p>20 Q. Correct.</p> <p>21 A. Oh, okay.</p> <p>22 Q. So not what you said to one another, but</p> <p>23 just the fact of having spoken with counsel.</p> <p>24 A. Oh, yes, my attorney.</p> <p>25 Q. And who did you speak with?</p>
<p style="text-align: right;">Page 55</p> <p>1 was --</p> <p>2 Q. And what do you mean you had to remind</p> <p>3 yourself what ECFMG is?</p> <p>4 A. Because I didn't know at first who you</p> <p>5 guys were.</p> <p>6 Q. And how did you remind yourself what ECFMG</p> <p>7 is?</p> <p>8 A. I looked -- I looked it up, how the</p> <p>9 documentation had said that I had from my lawyer.</p> <p>10 Q. What documentation?</p> <p>11 A. The deposition.</p> <p>12 Q. Was that your deposition from the</p> <p>13 Dimensions litigation?</p> <p>14 A. No. It was the one that my lawyer had</p> <p>15 sent me of where to come and who I was going to meet.</p> <p>16 Q. Okay.</p> <p>17 (Exhibit 1 marked for</p> <p>18 identification: Amended Notice of</p> <p>19 Deposition of Plaintiff Elsa Powell)</p> <p>20 BY MS. MCENROE:</p> <p>21 Q. I'd like to hand you what I'm marking as</p> <p>22 Exhibit 1 -- that was a good toss -- which you'll see</p> <p>23 at the top says Amended Notice of Deposition of Elsa</p> <p>24 Powell. Do you see that?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 57</p> <p>1 A. My attorney.</p> <p>2 Q. And is that Brent sitting next to you?</p> <p>3 A. Mr. Brent, yes, that's correct.</p> <p>4 Q. And did you speak to him in person or on</p> <p>5 the telephone?</p> <p>6 A. In person and the telephone.</p> <p>7 Q. How long was that for?</p> <p>8 A. In person? A good 25, 30 minutes.</p> <p>9 Q. And on the telephone?</p> <p>10 A. Forty minutes.</p> <p>11 Q. When did those conversations take place?</p> <p>12 A. Yesterday.</p> <p>13 Q. Both the in person and the telephone?</p> <p>14 A. No, the one in person was today.</p> <p>15 Q. This morning?</p> <p>16 A. Yes, this morning.</p> <p>17 Q. Okay. Great. Thank you. Here?</p> <p>18 A. Yes.</p> <p>19 Q. How did you first meet your counsel?</p> <p>20 A. It was a meeting that we had about the</p> <p>21 Akoda case once I've learned what was going on.</p> <p>22 Q. When you say it was a meeting that you</p> <p>23 had, was that an in-person meeting?</p> <p>24 A. It was an in-person meeting, yes, with a</p> <p>25 group of young ladies.</p>

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<p>1 Q. So there were other clients there in</p> <p>2 addition to yourself?</p> <p>3 A. Yes.</p> <p>4 Q. And some lawyers as well?</p> <p>5 A. Correct.</p> <p>6 Q. Do you know any of the other ladies who</p> <p>7 were there with you?</p> <p>8 A. Just one.</p> <p>9 Q. Who was that?</p> <p>10 A. My friend, Latisa.</p> <p>11 Q. Would Gaymon sound correct for her name?</p> <p>12 A. Yes.</p> <p>13 Q. G-A-Y-M-O-N?</p> <p>14 A. Yes.</p> <p>15 Q. Is that who you also texted when you were</p> <p>16 bleeding after delivering Jaiden?</p> <p>17 A. Correct.</p> <p>18 Q. Aside from Ms. Gaymon, did you know any of</p> <p>19 the other ladies who were also meeting with counsel?</p> <p>20 A. No.</p> <p>21 Q. Approximately how long did that meeting</p> <p>22 last?</p> <p>23 A. About two hours or so.</p> <p>24 Q. Do you remember when that was?</p> <p>25 A. No, it's -- it's -- it's been like around</p>	<p>1 and the -- as you described them, the group of</p> <p>2 ladies?</p> <p>3 A. No, it's just us.</p> <p>4 Q. How did you know to be at that meeting?</p> <p>5 A. My friend told me about it.</p> <p>6 Q. Had you spoken to any lawyers before you</p> <p>7 went to that meeting?</p> <p>8 A. No.</p> <p>9 Q. Did you speak to any lawyers at that</p> <p>10 meeting?</p> <p>11 A. Yes.</p> <p>12 Q. Who did you speak to?</p> <p>13 A. I do not remember.</p> <p>14 Q. Did you hire counsel at that meeting?</p> <p>15 A. Yes.</p> <p>16 Q. Did you sign anything at that meeting?</p> <p>17 A. Yes.</p> <p>18 Q. Do you have a copy of what you signed in</p> <p>19 that meeting?</p> <p>20 A. Not with -- no, not on me, no.</p> <p>21 Q. Not necessarily with you, but do you have</p> <p>22 a copy of it?</p> <p>23 A. No.</p> <p>24 Q. When you were going to that meeting, do</p> <p>25 you know what you thought the purpose of the meeting</p>
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<p>1 2017 or so.</p> <p>2 Q. Was that before you filed any lawsuits?</p> <p>3 A. Yes.</p> <p>4 Q. Had you hired counsel by then?</p> <p>5 A. No. I wasn't aware of what was going on</p> <p>6 by then.</p> <p>7 Q. Can you estimate how many ladies were in</p> <p>8 the group who were at that meeting with counsel?</p> <p>9 A. I wouldn't know to tell you. It was --</p> <p>10 Q. Was it closer to four or 20 or --</p> <p>11 A. No, it was -- it was about -- more than 20</p> <p>12 or so.</p> <p>13 Q. Did you have any other more group meetings</p> <p>14 with counsel like that?</p> <p>15 A. No.</p> <p>16 Q. Where did that meeting take place?</p> <p>17 A. It was a hotel lobby, but I -- not lobby</p> <p>18 but conference area, but I don't remember the exact</p> <p>19 name.</p> <p>20 Q. Aside from the group of ladies who were</p> <p>21 there, you mentioned counsel was there as well?</p> <p>22 A. Correct.</p> <p>23 Q. How many lawyers were there?</p> <p>24 A. A good four or five.</p> <p>25 Q. Was anyone else there besides the lawyers</p>	<p>1 was?</p> <p>2 A. Yes.</p> <p>3 Q. What did you think the purpose of the</p> <p>4 meeting was going to be?</p> <p>5 A. Learn more information about how the</p> <p>6 doctor that I thought was a real doctor unfortunately</p> <p>7 wasn't who he said he was or what his name was.</p> <p>8 Q. Is that Dr. Akoda you're talking about?</p> <p>9 A. That's correct.</p> <p>10 Q. Is that in fact what you learned at the</p> <p>11 meeting?</p> <p>12 A. That's --</p> <p>13 MR. CERYES: Object. I think we're</p> <p>14 starting to get into the substance of what was</p> <p>15 discussed at that meeting. So I'm going to advise</p> <p>16 you not to answer that question.</p> <p>17 BY MS. MCENROE:</p> <p>18 Q. Let me restate it a different way, or I'll</p> <p>19 just ask a different question actually.</p> <p>20 So how did you come to have the expectation</p> <p>21 that that was what you were going to hear about at</p> <p>22 the meeting?</p> <p>23 A. Because my friend had actually told me,</p> <p>24 and she had learned it through a TV ad. So I said, I</p> <p>25 don't believe it, I don't -- this has got to be some</p>

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<p>1 kind of joke. That's when she said was like, well, 2 they're having a meeting. If you don't believe me, 3 we can attend the meeting. I'm sure you can get the 4 information that you're so confused about. 5 Q. Did you ever see the TV ad Ms. Gaymon was 6 referring to? 7 A. No. 8 Q. Was it Ms. Gaymon you were just talking 9 about? 10 A. Correct. 11 Q. Did you ever hear any radio ads? 12 A. After the fact, yes. 13 Q. When you say "after the fact," you mean 14 after this meeting? 15 A. After the meeting. 16 Q. What did the radio ad say? 17 A. It was -- whatchamacallit -- the radio -- 18 not the radio -- the radio station, not a -- not like 19 an ad, the radio station. They were talking about 20 how there was a doctor who was delivering children, 21 and come to find out that he lied about his identity, 22 and they were talking about that. 23 So that's when I had called my friend Tisa. I 24 was like, wow, it's everywhere. I -- I still can't 25 believe it.</p>	<p>1 be burned. And he did the procedure right there at 2 Dr. Chaudhry's office. 3 Q. In the office? 4 A. Yes. 5 Q. Did you have any complications from having 6 the ovarian cyst treated? 7 A. Just -- it was irritation and pain, but 8 that was it. 9 Q. And how long did that irritation and pain 10 last after the procedure? 11 A. Three to four -- three to four days. 12 Q. Three to four days? Okay. Following the 13 treatment of that ovarian cyst, did you get treatment 14 or have an examination by Dr. Akoda after that? 15 A. After that, no. 16 Q. Did you see any obstetricians or 17 gynecologists between then and then when you were 18 again pregnant with Tatiana? 19 A. No. 20 Q. Did you see any obstetricians or 21 gynecologists between when you delivered Lucy and 22 finished that postnatal care and when you became 23 pregnant with Angel? 24 A. No. 25 Q. Did you see any obstetricians or</p>
Page 63	Page 65
<p>1 Q. Had you seen or heard any other news media 2 coverage about Dr. Akoda? 3 A. Online I did. 4 Q. What did you see? 5 A. I saw how they were talking about his real 6 name wasn't Akoda, and that he had lied and was being 7 charged with security fraud. 8 Q. Social Security fraud? 9 A. Social Security fraud, yes. 10 Q. Any other news coverage that you saw or 11 heard? 12 A. That was it. After that, I didn't want to 13 see anything else. 14 Q. When did Ms. Gaymon first contact you 15 regarding these allegations about Dr. Akoda? 16 A. I don't know the specific day or month, 17 but I know it was in 2017. 18 Q. What year was Jaiden born again? 19 A. 2014. 20 Q. Okay. Following Jaiden's delivery, did 21 you do post-delivery care with Dr. Akoda? 22 A. I sure did. 23 Q. Okay. For how long? Until when? 24 A. My -- I did my six-weeks checkup. He had 25 said that I had an ovarian cyst and that it needed to</p>	<p>1 gynecologists between when you were done with your 2 postnatal care from Angel and when you became 3 pregnant with Josiah? 4 A. No, I -- 5 Q. Did you see any OB/GYNs between when you 6 finished your post -- postnatal care of Josiah and 7 when you became pregnant with Jaiden? 8 A. No. 9 Q. How did you become friends with 10 Ms. Gaymon? 11 A. I met her at the doctor's office, my 12 OB/GYN, when I found out I was pregnant with Jaiden. 13 I do not remember her name, but it was at the office 14 on Saint Barnabas Road. 15 Q. With the woman OB/GYN, correct? 16 A. Yes. 17 Q. Okay. And she was pregnant at the same 18 time you were pregnant? 19 A. Correct. 20 Q. Did she then go on, do you know, to switch 21 to Dr. Chaudhry's practice around the time you did as 22 well? 23 A. Yes. 24 Q. Did you guys talk about that? 25 A. Yes, we did.</p>

<p style="text-align: right;">Page 66</p> <p>1 Q. What did you talk about?</p> <p>2 A. I told her that they had changed me over</p> <p>3 to Dr. Chaudhry's office, but I wasn't too happy</p> <p>4 because I didn't want to deliver Jaiden at PGH with</p> <p>5 all the negative reviews that I had heard from PGH.</p> <p>6 So that's when she said, well, I'm delivering there</p> <p>7 too, so you're not alone.</p> <p>8 And our dates were different, doctor's</p> <p>9 appointments were different, so I would call her and</p> <p>10 say, hey, I saw Dr. Akoda. And she was like, oh, I'm</p> <p>11 going next week, okay, we'll follow up next week.</p> <p>12 But eventually we went weeks without speaking</p> <p>13 until I had called her and told her I was in labor.</p> <p>14 And then she went to see me afterwards.</p> <p>15 Q. Did she come to see you in the hospital?</p> <p>16 A. Yes.</p> <p>17 Q. Was she still pregnant or had she had her</p> <p>18 baby?</p> <p>19 A. She was still pregnant.</p> <p>20 Q. Did she deliver a healthy baby?</p> <p>21 A. Yes.</p> <p>22 Q. And did Dr. Akoda deliver her baby, do you</p> <p>23 know?</p> <p>24 A. Yes.</p> <p>25 Q. Did she have a boy or a girl?</p>	<p style="text-align: right;">Page 68</p> <p>1 Q. So did you have anyone else with you</p> <p>2 supporting you in the hospital when you had Jaiden?</p> <p>3 A. No.</p> <p>4 Q. Okay. Was he with nurses when you had</p> <p>5 your surgery?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And then when did Latisha come to</p> <p>8 you -- or did I say that wrong? I'm sorry,</p> <p>9 Ms. Gaymon. Stick with Ms. Gaymon.</p> <p>10 A. It was a couple hours. It was -- it was</p> <p>11 later, later that day.</p> <p>12 Q. How long did she stay with you in the</p> <p>13 hospital?</p> <p>14 A. About 45 minutes to an hour.</p> <p>15 Q. Did you have any other visitors when you</p> <p>16 were in the hospital having delivered Jaiden?</p> <p>17 A. No.</p> <p>18 Q. Do you have any family members living</p> <p>19 nearby, your mom, your dad, siblings?</p> <p>20 A. No. They're all in Massachusetts.</p> <p>21 Q. Oh, they all live in Massachusetts?</p> <p>22 A. Yes.</p> <p>23 Q. Do you have siblings?</p> <p>24 A. No -- in Massachusetts. They are all in</p> <p>25 Massachusetts.</p>
<p style="text-align: right;">Page 67</p> <p>1 A. A girl.</p> <p>2 Q. How long after you had Jaiden?</p> <p>3 A. A week after I had Jaiden.</p> <p>4 Q. So pretty close in time?</p> <p>5 A. Uh-huh.</p> <p>6 Q. Did you guys overlap in the hospital at</p> <p>7 all?</p> <p>8 A. No.</p> <p>9 Q. And did she actually deliver at PGH?</p> <p>10 A. Yes.</p> <p>11 Q. When did she come visit you in the</p> <p>12 hospital?</p> <p>13 A. The -- right after I had my surgery, a</p> <p>14 couple hours after I had my surgery.</p> <p>15 Q. When you were in recovery?</p> <p>16 A. Yes.</p> <p>17 Q. By the way, how was Jaiden when you saw</p> <p>18 him after your surgery?</p> <p>19 A. It was good seeing him. He was sleeping.</p> <p>20 It was really nice.</p> <p>21 Q. Good. Yeah. And was your husband in the</p> <p>22 hospital with you as well?</p> <p>23 A. No.</p> <p>24 Q. Was he working?</p> <p>25 A. No. We weren't together at that time.</p>	<p style="text-align: right;">Page 69</p> <p>1 Q. Do you have brothers and sisters, though?</p> <p>2 A. Six brothers.</p> <p>3 Q. Six brothers?</p> <p>4 A. Yes.</p> <p>5 Q. They all live in Massachusetts?</p> <p>6 A. Yes.</p> <p>7 Q. Do they have any children?</p> <p>8 A. Yes, they do.</p> <p>9 Q. Do you get up there to see them?</p> <p>10 A. Sometimes, when I can.</p> <p>11 Q. Are your parents still living?</p> <p>12 A. Yes.</p> <p>13 Q. And -- and they live in Massachusetts?</p> <p>14 A. My father lives in Massachusetts. My</p> <p>15 mother lives in Florida.</p> <p>16 Q. Did either of them come to visit you after</p> <p>17 you had Jaiden?</p> <p>18 A. No.</p> <p>19 Q. When you went home after having delivered</p> <p>20 Jaiden, was there anyone there to help you?</p> <p>21 A. My children and my neighbor.</p> <p>22 Q. And who is your neighbor?</p> <p>23 A. Lord, what's her name? I do not remember</p> <p>24 her name. I just -- Peterson is her last name, but I</p> <p>25 do not remember her name.</p>

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<p>1 Q. Ms. Peterson came to help you some?</p> <p>2 A. Yes.</p> <p>3 Q. And what kind of help did she provide?</p> <p>4 A. She was the one who took care of the</p> <p>5 children while I was in the hospital.</p> <p>6 Q. Did she stay to help after you came home</p> <p>7 with Jaiden?</p> <p>8 A. Yes, because she was literally my</p> <p>9 next-door neighbor.</p> <p>10 Q. Did she stay over to help so that you</p> <p>11 could sleep --</p> <p>12 A. Yes.</p> <p>13 Q. -- and take a shower?</p> <p>14 A. Yes.</p> <p>15 Q. How much time do you think Ms. Peterson</p> <p>16 spent at your home after you had Jaiden?</p> <p>17 A. Probably about -- I'd say about an hour or</p> <p>18 two a day.</p> <p>19 Q. For -- for how long did that go on, do you</p> <p>20 think?</p> <p>21 A. For the first -- first two weeks. Or, if</p> <p>22 I needed her, I went over to her house.</p> <p>23 Q. At some point after you had Jaiden did you</p> <p>24 and Mr. Powell get together or move into the same</p> <p>25 home?</p>	<p>1 experiences with Dr. Akoda?</p> <p>2 A. She spoke about her cesarean because she</p> <p>3 had a cesarean, and that's when I said I've never had</p> <p>4 a cesarean, and that was the conversation.</p> <p>5 Q. Do you know how her recovery went after</p> <p>6 her C-section?</p> <p>7 A. Not really. Honestly, not really.</p> <p>8 Q. Do you know if she talked to you about any</p> <p>9 infection or scarring, anything like that?</p> <p>10 A. No.</p> <p>11 Q. Does she have other children, do you know,</p> <p>12 other than that daughter?</p> <p>13 A. Yes, she has two older children.</p> <p>14 Q. Before she had that daughter?</p> <p>15 A. Yes.</p> <p>16 Q. Do you know if she's had any children</p> <p>17 since?</p> <p>18 A. No, she has not.</p> <p>19 Q. You said that you guys got together about</p> <p>20 six or seven months after your -- Jaiden and her</p> <p>21 daughter had been born. Do you know if you saw each</p> <p>22 other then thereafter, before you had the meeting</p> <p>23 with counsel we talked about earlier?</p> <p>24 A. Yes, we did.</p> <p>25 Q. About how frequently?</p>
Page 71	Page 73
<p>1 A. Not aft- -- until we got married.</p> <p>2 Q. So how long was it that you got married</p> <p>3 after you had Jaiden?</p> <p>4 A. Let's see. I had Jaiden in September '14.</p> <p>5 We got married in January 2015. It was a couple</p> <p>6 months.</p> <p>7 Q. Did he help with any of the child care</p> <p>8 responsibilities before you got married?</p> <p>9 A. No.</p> <p>10 Q. Does he help with any child care</p> <p>11 responsibilities now?</p> <p>12 A. Yes.</p> <p>13 Q. We were talking about Ms. Gaymon had a</p> <p>14 baby girl, healthy baby girl, about a week after you</p> <p>15 had Jaiden; is that right?</p> <p>16 A. Yes.</p> <p>17 Q. Does she live nearby where you live, or at</p> <p>18 least at the time did she?</p> <p>19 A. No. At the time she lived, let's see -- I</p> <p>20 lived in Temple Hills. She lived in Fort Washington.</p> <p>21 So it was probably 30, 40 minutes away from me.</p> <p>22 Q. Did you visit with one another after you</p> <p>23 both had your babies?</p> <p>24 A. Like six -- six or seven months after.</p> <p>25 Q. And did you talk at all about your birth</p>	<p>1 A. Not frequently.</p> <p>2 Q. For about how many times?</p> <p>3 A. How many times after that? I would say</p> <p>4 about four to five.</p> <p>5 Q. Were those of a social nature, those</p> <p>6 meetings?</p> <p>7 A. Yes, gatherings at my house from kids'</p> <p>8 birthday parties, stuff like that.</p> <p>9 Q. Aside from seeing each other, would you</p> <p>10 stay in touch over social media or texting, anything</p> <p>11 of the like?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. How?</p> <p>14 A. Facebook. And she would text me time to</p> <p>15 time and see how I'm doing, see how the kids are</p> <p>16 doing, and to tell me she's -- Maddie, which is her</p> <p>17 daughter that she had -- Maddie is asking when she's</p> <p>18 going to see Jaiden and when she's going to come</p> <p>19 over.</p> <p>20 Q. Is Maddie a healthy kid, from what you</p> <p>21 know?</p> <p>22 A. Yes.</p> <p>23 Q. What name do you use on Facebook?</p> <p>24 A. Miguella Powell.</p> <p>25 Q. Miguella Powell? So your -- your current</p>

1 middle name and last name?
 2 A. My nickname.
 3 Q. Oh, you go by -- is that your nickname?
 4 A. Yes. Because my father's name is Miguel,
 5 so everybody calls me Miguella.
 6 Q. Do you use any other social media?
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED] number.
 14 Q. Okay. And is that your cell phone number?
 15 A. Yes.
 16 Q. And what is that number?
 17 [REDACTED]
 18 [REDACTED]
 19 A. No.
 20 Q. Do you have any blogs?
 21 A. No.
 22 Q. Do you do any other sort of journaling?
 23 Do you have any hard-copy journals you keep?
 24 A. No. I barely have time to sleep.
 25 Q. You mentioned that Ms. Gaymon was the

1 first one to be in touch with you to talk about the
 2 allegations about Dr. Akoda and his identity; is that
 3 correct?
 4 A. That's correct.
 5 Q. How was she first in touch with you about
 6 that?
 7 A. She called me.
 8 Q. On the telephone?
 9 A. Yes.
 10 Q. What did she say?
 11 A. She said, girl, you will not believe this.
 12 I said, what. She was like, Dr. Akoda is not who he
 13 said he is. I said, you're lying. She's like, no,
 14 I'm not lying. I said, girl, I don't believe you,
 15 whatever. So she said, if you don't believe me,
 16 there's going to be a meeting that you can go and see
 17 it for yourself, so...
 18 Q. Was that just one conversation before you
 19 then went to the meeting with counsel?
 20 A. Yes.
 21 Q. Do you know how she found out?
 22 A. She said she -- through an ad.
 23 Q. On the television?
 24 A. On the television.
 25 Q. Did she describe that ad to you?

1 A. No.
 2 Q. Did she tell you what station it was on?
 3 A. No.
 4 Q. What was her mood like when she called
 5 you?
 6 A. Shocked.
 7 Q. Do you know anyone else other than
 8 Ms. Gaymon who was treated or examined by Dr. Akoda?
 9 A. No.
 10 Q. Did you become friends with anyone else in
 11 the waiting room of any of your OB/GYNs?
 12 A. No.
 13 Q. And we covered this, I think, but you
 14 delivered Jaiden vaginally, correct?
 15 A. Correct.
 16 Q. And Ms. Gaymon had a C-section?
 17 A. Correct.
 18 Q. Do you know if your birthing experiences
 19 were similar?
 20 MR. CERYES: Objection, form, foundation.
 21 You can answer to the extent you know and
 22 understand the question.
 23 A. I don't know.
 24 Q. Okay. So you had a vaginal delivery and
 25 she had a C-section?

1 A. Yes.
 2 Q. So I'm just asking if you think that your
 3 delivery experiences with Dr. Akoda were similar.
 4 MR. CERYES: Same objection.
 5 A. I don't -- I don't -- I don't know,
 6 honestly. I thought mine was harsh. I don't know
 7 what she went through.
 8 Q. You mean your labor and delivery was --
 9 was a tough one?
 10 A. Yes.
 11 Q. Do you know about the experiences of any
 12 of the other patients of Dr. Akoda's?
 13 A. No.
 14 Q. Do you know if Ms. Gaymon had the same
 15 experiences with breast exams that you had with
 16 Dr. Akoda?
 17 A. I don't know.
 18 Q. Did you talk to her about that experience?
 19 A. No.
 20 Q. Have you ever spoken to her about that
 21 experience?
 22 A. No.
 23 Q. Has Ms. Gaymon ever told you that there
 24 was anything flirtatious or sexual about any of her
 25 interactions with Dr. Akoda?

<p style="text-align: right;">Page 78</p> <p>1 A. No.</p> <p>2 Q. She has not told you that?</p> <p>3 A. No, she has not.</p> <p>4 Q. Other than the issue of Dr. Akoda's</p> <p>5 identity, has Ms. Gaymon raised any concerns about</p> <p>6 Dr. Akoda's treatment of her with you?</p> <p>7 A. She hasn't told me anything, no.</p> <p>8 Q. Sitting here today, do you believe that</p> <p>9 Dr. Akoda is a doctor?</p> <p>10 MR. CERYES: Objection, form, foundation.</p> <p>11 You can answer.</p> <p>12 BY MS. MCENROE:</p> <p>13 Q. Just asking for what you -- what your</p> <p>14 belief is.</p> <p>15 A. My honest opinion? I don't know what to</p> <p>16 believe.</p> <p>17 Q. So you don't know one way or the other?</p> <p>18 A. I don't know what -- he said his name was</p> <p>19 Akoda, and come to find out it wasn't. I mean, I</p> <p>20 don't know what to believe.</p> <p>21 Q. Okay. And does him using a different name</p> <p>22 have some sort of special significance to you? What</p> <p>23 is it that -- that is the problem with that?</p> <p>24 A. It's the problem --</p> <p>25 MR. CERYES: Objection, form, foundation.</p>	<p style="text-align: right;">Page 80</p> <p>1 wasn't Dr. Akoda who did the surgery. Come to find</p> <p>2 out it's -- it's some other man. I mean, how are</p> <p>3 they going to feel? Like, it's -- it's disturbing.</p> <p>4 It's beyond disturbing.</p> <p>5 Q. Sitting here today, do you have any reason</p> <p>6 to doubt that Dr. Akoda had medical training?</p> <p>7 A. Yeah. Yes, I do.</p> <p>8 Q. You've -- you've had a number of OB/GYNs</p> <p>9 over the span of your experience in birthing</p> <p>10 children. Was there anything out of the ordinary</p> <p>11 about Dr. Akoda's care of you compared to the other</p> <p>12 OB/GYNs you've had?</p> <p>13 MR. CERYES: Objection to the extent it's</p> <p>14 already been answered.</p> <p>15 But you can answer.</p> <p>16 A. I mean, besides that he was flirtatious,</p> <p>17 and, certain extent, disrespectful because,</p> <p>18 you know --</p> <p>19 Q. But I'm talking about the medical care</p> <p>20 itself.</p> <p>21 A. No. I mean, when you go to get checked</p> <p>22 out, you don't -- you don't actually focus on, you</p> <p>23 know, what is he doing. I mean, I didn't go to</p> <p>24 medical school, so I don't know what -- what a doctor</p> <p>25 is supposed to do.</p>
<p style="text-align: right;">Page 79</p> <p>1 You can answer.</p> <p>2 A. Yeah, it's a problem. You told me your</p> <p>3 name was Akoda and come to find out it's not. I</p> <p>4 mean, what other secrets are you hiding? I -- I</p> <p>5 trusted you. You know, you touched my body. I mean,</p> <p>6 that's -- I thought Akoda, you know, was my doctor,</p> <p>7 who I trusted to do my exams and -- and touch my body</p> <p>8 and deliver my baby.</p> <p>9 I don't -- I don't know whatever his name is.</p> <p>10 I don't -- it's beyond disturbing, it is. So, yeah,</p> <p>11 it has -- it has a lot to do with his name, because</p> <p>12 it's shocking. It's disturbing. I felt violated by</p> <p>13 somebody who I don't know.</p> <p>14 Q. When did you feel violated by Dr. Akoda?</p> <p>15 When is it that you came to feel violated, if that</p> <p>16 makes sense?</p> <p>17 A. When I found out that Akoda was not Akoda.</p> <p>18 Q. When he used a different name -- that he</p> <p>19 had used a different name?</p> <p>20 A. Yeah. So I was like, who -- who -- who</p> <p>21 was it that was touching me, who was it that I had</p> <p>22 trusted to say -- to put my -- my life on the line.</p> <p>23 If my -- if my kids, my older kids -- if I would --</p> <p>24 did die in that O.R. room, you know, and my kids have</p> <p>25 questions, and come to find out, oh, you know, it</p>	<p style="text-align: right;">Page 81</p> <p>1 Q. You've delivered other children before, so</p> <p>2 I'm just trying to understand if in your experience,</p> <p>3 your treatment with Dr. Akoda -- and we've talked</p> <p>4 about the flirtatious issues -- setting that aside,</p> <p>5 the medical treatment he provided to you was</p> <p>6 different or notable in some way compared to the</p> <p>7 other treatment you've had from other OB/GYNs that</p> <p>8 you've seen.</p> <p>9 A. Well, this one, yes, it was different. I</p> <p>10 almost -- I almost bled to death, so, yeah, it was</p> <p>11 definitely different --</p> <p>12 Q. From your --</p> <p>13 A. -- from other experience.</p> <p>14 Q. From your post-delivery birth bleeding</p> <p>15 issue?</p> <p>16 A. Yeah, so definitely it was different.</p> <p>17 Q. And leading into your delivery, was any of</p> <p>18 your prenatal care different, aside from the</p> <p>19 flirtatious issue?</p> <p>20 A. No, those were not.</p> <p>21 Q. And the actual delivery experience of</p> <p>22 Jaiden, was that different from your other delivery</p> <p>23 experiences, aside from the bleeding issue?</p> <p>24 A. No.</p> <p>25 Q. So it was the same --</p>

1 A. Mm-hmm.
 2 Q. -- as your others? Is that a yes?
 3 A. Yes.
 4 Q. And Dr. Akoda did a procedure on you to
 5 help stop the bleeding and the clotting; is that
 6 correct?
 7 A. From my understanding, he removed the
 8 blood clots. How, I don't know.
 9 Q. Okay.
 10 A. But, yeah, and then after that he put some
 11 bandages to stop the bleeding.
 12 Q. And it did stop the bleeding, correct?
 13 A. Yes.
 14 Q. Okay. Do you know one way or another
 15 about whether Dr. Akoda was ever board certified in
 16 obstetrics and gynecology?
 17 A. No, I do not know.
 18 Q. Do you know what board certification means
 19 in that kind of setting?
 20 A. In that kind of setting, yes.
 21 Q. That they have taken extra exams and
 22 passed oral and written exams?
 23 A. Correct.
 24 Q. Would it surprise you to learn that he was
 25 board certified in obstetrics and gynecology?

1 MR. CERYES: Objection, form, foundation.
 2 You can answer.
 3 A. I mean, I know you have to -- to be a
 4 physician, a doctor, you have to take some type of,
 5 you know, classes and -- and exams and stuff, but I
 6 really don't know what he had.
 7 Q. Okay. Did you do any investigation into
 8 his training or certification? I think we maybe
 9 talked earlier that you had not; is that right?
 10 A. No, I did not.
 11 Q. You are a plaintiff in this lawsuit; is
 12 that correct?
 13 A. That's correct.
 14 Q. And you are a plaintiff in the lawsuit in
 15 Maryland; is that correct?
 16 A. That's correct.
 17 Q. Against Dimensions?
 18 A. That's correct.
 19 Q. Have you ever been a plaintiff in any
 20 other lawsuit before?
 21 A. No.
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 Q. Tell me about that.

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 Q. And everything was okay with Jaiden
 18 following that?
 19 A. Yes.
 20 Q. Okay. That was prior to you seeing
 21 Dr. Akoda; is that correct?
 22 A. Correct.
 23 Q. Have you otherwise -- strike that.
 24 Have you otherwise ever been a defendant in a
 25 lawsuit?

1 A. No.
 2 Q. Have you ever, to your knowledge, had a
 3 lawsuit threatened against you; someone told you they
 4 were going to file one?
 5 A. No.
 6 Q. Have you ever threatened a lawsuit that
 7 you did not file?
 8 A. No.
 9 Q. Have you ever filed a workers'
 10 compensation claim?
 11 A. No.
 12 Q. Have you ever sought accommodations under
 13 the ADA?
 14 A. No.
 15 Q. Americans with Disabilities Act?
 16 A. No.
 17 Q. Have you ever taken FMLA, Family Medical
 18 Leave Act?
 19 A. No.
 20 Q. Did you get maternity leave or time out of
 21 work for any of your other -- strike that.
 22 Have you gotten maternity leave or parental
 23 leave from any of your deliveries?
 24 A. No.
 25 Q. Have you ever been convicted of a crime?

<p style="text-align: right;">Page 86</p> <p>1 A. No.</p> <p>2 Q. Have you ever been the victim of a crime?</p> <p>3 A. No.</p> <p>4 Q. You mentioned your husband is a police</p> <p>5 officer. Does he go out into the field?</p> <p>6 A. Yes.</p> <p>7 Q. Can you describe to me what he does? Is</p> <p>8 he like a beat officer, or what does he do?</p> <p>9 A. Yes, he's a patrol officer for station 5</p> <p>10 in Clinton.</p> <p>11 Q. Does he patrol in a car, on a bike?</p> <p>12 A. A car, a cruiser.</p> <p>13 Q. Or a horse, I guess, is also an option.</p> <p>14 In a -- in a car?</p> <p>15 A. Yes, in a cruiser.</p> <p>16 Q. Has he ever been injured in the line of</p> <p>17 duty?</p> <p>18 A. Yes.</p> <p>19 Q. Can you tell me a little bit about that?</p> <p>20 A. Car -- cruiser crashed. He had some</p> <p>21 fractured ribs.</p> <p>22 Q. When was that?</p> <p>23 A. 2016? '15, '16?</p> <p>24 Q. Is he doing okay now?</p> <p>25 A. Yes. And then -- that's -- that's --</p>	<p style="text-align: right;">Page 88</p> <p>1 A. When I went for my six-weeks checkup.</p> <p>2 Q. Was that the first time you met Dr. Akoda?</p> <p>3 A. Who, me?</p> <p>4 Q. Oh, I'm sorry. Strike that. I was --</p> <p>5 six-month checkup is what I was thinking when you</p> <p>6 said --</p> <p>7 A. Six weeks.</p> <p>8 Q. So it was post-delivery.</p> <p>9 A. Yes.</p> <p>10 Q. Okay. So -- so let me start that over</p> <p>11 again.</p> <p>12 So Mr. Powell, your husband, came with you to</p> <p>13 your six-week post-delivery appointment; is that</p> <p>14 correct?</p> <p>15 A. Yes.</p> <p>16 Q. And your husband met Dr. Akoda at that</p> <p>17 time?</p> <p>18 A. Yes.</p> <p>19 Q. Did anything happen at that appointment</p> <p>20 other than you getting checked out?</p> <p>21 A. He stayed in the lobby and I went in, and</p> <p>22 that's when he burned an ovarian cyst that he said</p> <p>23 that I had.</p> <p>24 Q. So your husband waited in the waiting</p> <p>25 room?</p>
<p style="text-align: right;">Page 87</p> <p>1 that's the biggest one. Other ones are just little</p> <p>2 minor, you know, chasing a suspect and</p> <p>3 trip-and-falls, stuff like that.</p> <p>4 Q. So we'll knock on wood that we keep him</p> <p>5 that way.</p> <p>6 A. Yeah. Yes.</p> <p>7 Q. We keep him nice and safe.</p> <p>8 And has he ever gotten into any violent</p> <p>9 altercations while in the line of duty involving his</p> <p>10 firearm?</p> <p>11 A. Yes. He has been through a shooting.</p> <p>12 Q. Has he been shot?</p> <p>13 A. No. Thank God, no.</p> <p>14 Q. I'll knock on wood again.</p> <p>15 Has he been shot at in the line of duty?</p> <p>16 A. Yes.</p> <p>17 Q. Has he sought medical care?</p> <p>18 A. No.</p> <p>19 Q. Do you know if he gets any mental health</p> <p>20 treatment?</p> <p>21 A. No, he does not.</p> <p>22 Q. Did your husband, Mr. Powell, ever meet</p> <p>23 Dr. Akoda?</p> <p>24 A. Yes, he did.</p> <p>25 Q. When was that?</p>	<p style="text-align: right;">Page 89</p> <p>1 A. Correct.</p> <p>2 Q. And did he get to meet Dr. Akoda?</p> <p>3 A. Yes, when Dr. Akoda came -- came out.</p> <p>4 Q. At the beginning of the appointment or</p> <p>5 after the appointment?</p> <p>6 A. After the appointment.</p> <p>7 Q. Did your husband and Dr. Akoda ever speak?</p> <p>8 A. How you doing, sir, that's it.</p> <p>9 Q. Just an introduction?</p> <p>10 A. Yeah. Yes.</p> <p>11 Q. Do you have any medical doctors in your</p> <p>12 family?</p> <p>13 A. No.</p> <p>14 Q. Any of your six brothers a doctor?</p> <p>15 A. No.</p> <p>16 Q. Okay. Do you have any friends, close</p> <p>17 friends or other acquaintances who are medical</p> <p>18 doctors?</p> <p>19 A. No.</p> <p>20 Q. Do you know anyone close or sort of in</p> <p>21 passing, neighbors, friends, family, who have gone to</p> <p>22 medical school outside of the United States?</p> <p>23 A. No.</p> <p>24 Q. When did you first hear of the Educational</p> <p>25 Commission for Foreign Medical Graduates?</p>

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<p>1 A. Back in 2018.</p> <p>2 Q. How?</p> <p>3 A. Through my lawyer.</p> <p>4 Q. And if I call them ECFMG today, is that</p> <p>5 okay? You'll know what I'm talking about?</p> <p>6 A. Yes.</p> <p>7 Q. It will be a little shorter for everybody.</p> <p>8 A. Yes.</p> <p>9 Q. So it's fair to say that, before you met</p> <p>10 counsel in connection with the lawsuits about</p> <p>11 Dr. Akoda, you had not heard of ECFMG before?</p> <p>12 A. No.</p> <p>13 Q. Other than counsel, have you ever gotten</p> <p>14 any information about who ECFMG is or what they have</p> <p>15 done?</p> <p>16 A. No.</p> <p>17 Q. Have you ever looked them up on the</p> <p>18 Internet?</p> <p>19 A. No.</p> <p>20 Q. Met anyone who works there?</p> <p>21 A. No.</p> <p>22 Q. Do you have an understanding of what ECFMG</p> <p>23 does?</p> <p>24 A. Yes.</p> <p>25 Q. What's your understanding of what ECFMG</p>	<p>1 Russell, et al. v. Educational</p> <p>2 Commission for Foreign Medical</p> <p>3 Graduates)</p> <p>4 BY MS. MCENROE:</p> <p>5 Q. I just handed you what I marked as Exhibit</p> <p>6 2. That is a copy of the complaint that was filed in</p> <p>7 this lawsuit against ECFMG. Have you ever seen this</p> <p>8 before?</p> <p>9 A. Yes.</p> <p>10 Q. Have you ever read it before?</p> <p>11 A. Yes.</p> <p>12 Q. Did you read it before it was filed?</p> <p>13 A. Yes.</p> <p>14 Q. Did you suggest any edits or changes to</p> <p>15 it?</p> <p>16 A. No.</p> <p>17 Q. Did you sign anything relating to a</p> <p>18 verification or anything like that?</p> <p>19 A. Yes.</p> <p>20 Q. Did you swear that it was true and</p> <p>21 accurate --</p> <p>22 A. Yes.</p> <p>23 Q. -- under penalty of perjury?</p> <p>24 A. Yes.</p> <p>25 MR. CERYES: Objection, form, foundation.</p>
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<p>1 does?</p> <p>2 A. It's for foreigners. It's pretty much a</p> <p>3 -- they give the license for foreigners from -- yeah.</p> <p>4 Q. In what kind of context?</p> <p>5 A. Medical license and stuff like that.</p> <p>6 Q. So it's your understanding that ECFMG</p> <p>7 licenses foreign medical doctors --</p> <p>8 A. Yes.</p> <p>9 Q. -- to practice medicine in the</p> <p>10 United States?</p> <p>11 A. Correct.</p> <p>12 Q. Have you ever heard of the United States</p> <p>13 Medical Licensing Examination?</p> <p>14 A. No.</p> <p>15 Q. Sometimes called USMLE?</p> <p>16 A. No.</p> <p>17 Q. We talked about just a minute ago that you</p> <p>18 are a plaintiff in this litigation against ECFMG,</p> <p>19 correct?</p> <p>20 A. Correct.</p> <p>21 Q. And you're a named plaintiff. Do you</p> <p>22 understand that?</p> <p>23 A. Yes.</p> <p>24 (Exhibit 2 marked for</p> <p>25 identification: Civil Action re</p>	<p>1 BY MS. MCENROE:</p> <p>2 Q. Do you believe the allegations in the</p> <p>3 complaint to be true?</p> <p>4 A. Yes.</p> <p>5 Q. Sitting here today, anything you would</p> <p>6 change in the complaint now that you know what you</p> <p>7 know?</p> <p>8 A. No.</p> <p>9 Q. In your own words, can you tell me what</p> <p>10 you think ECFMG did wrong?</p> <p>11 MR. CERYES: Objection to form,</p> <p>12 foundation, calls for an expert opinion.</p> <p>13 You can answer with respect to your</p> <p>14 understanding.</p> <p>15 A. Yes, I understand that they did wrong --</p> <p>16 they did wrong, allowed him to practice with a fake</p> <p>17 name.</p> <p>18 Q. Any more specifics about what you think</p> <p>19 that ECFMG did wrong? And I don't mean this as a pop</p> <p>20 quiz; I'm just trying to get your best understanding.</p> <p>21 A. They -- they failed to -- to look over his</p> <p>22 documentations and actually provide him with a</p> <p>23 license to practice.</p> <p>24 Q. I'd like to direct your attention to</p> <p>25 paragraph 42. You'll see each of the -- once you get</p>

<p style="text-align: right;">Page 94</p> <p>1 into the meat of the complaint, each paragraph has a</p> <p>2 number. Do you see that? So it's on page 9,</p> <p>3 paragraph 42. Let me know when you're there.</p> <p>4 A. I'm here.</p> <p>5 Q. Great. That paragraph says, "the</p> <p>6 plaintiff, Elsa Powell" -- that's you?</p> <p>7 A. Correct.</p> <p>8 Q. "-- was a patient of Igberase on or about</p> <p>9 September 17th, 2014, and on several occasions</p> <p>10 thereafter Igberase delivered Elsa Powell's son on</p> <p>11 that date at Prince George's Hospital Center."</p> <p>12 Did I read that correctly?</p> <p>13 A. That's correct.</p> <p>14 Q. And do you understand in the complaint</p> <p>15 that the reference to Igberase is also Dr. Akoda?</p> <p>16 A. Unfortunately, yes.</p> <p>17 Q. Okay. But you understand that those mean</p> <p>18 the same for the purposes of this complaint; is that</p> <p>19 correct?</p> <p>20 A. Correct.</p> <p>21 Q. Are the -- is the information in paragraph</p> <p>22 42 correct?</p> <p>23 A. That's correct.</p> <p>24 Q. I'd like to direct your attention to</p> <p>25 paragraph 44, which is on the next page on the top.</p>	<p style="text-align: right;">Page 96</p> <p>1 A. No.</p> <p>2 MR. CERYES: Objection, form, foundation.</p> <p>3 BY MS. MCENROE:</p> <p>4 Q. Because you didn't even know ECFMG existed</p> <p>5 at the time, correct?</p> <p>6 A. No. All's in my head was getting prenatal</p> <p>7 care and delivering my baby.</p> <p>8 Q. A healthy -- healthy baby, healthy mommy?</p> <p>9 A. Healthy baby.</p> <p>10 Q. So is it fair to say -- it might save us</p> <p>11 some time to not go through each of the paragraphs --</p> <p>12 but you -- you don't know what any of Dr. Akoda's</p> <p>13 patients, other than yourself, knew or thought or</p> <p>14 expected about Dr. Akoda, correct?</p> <p>15 A. That's correct.</p> <p>16 Q. Do you think you can speak on their</p> <p>17 behalf?</p> <p>18 A. I mean --</p> <p>19 MR. CERYES: Objection, form, foundation.</p> <p>20 You can answer.</p> <p>21 A. We all went through similar shockness. I</p> <p>22 mean, we're all going through this together. I mean,</p> <p>23 I -- I can speak on behalf of them when I can tell</p> <p>24 you that we all feel violated, we -- lied to,</p> <p>25 disrespected.</p>
<p style="text-align: right;">Page 95</p> <p>1 It says:</p> <p>2 "The plaintiffs and others similarly</p> <p>3 situated chose Igberase who they</p> <p>4 knew as Akoda as their</p> <p>5 obstetrician/gynecologist on the</p> <p>6 basis of their belief that Akoda had</p> <p>7 obtained all necessary credentials</p> <p>8 and certifications required of</p> <p>9 physicians practicing in the</p> <p>10 United States, including</p> <p>11 certification from ECFMG."</p> <p>12 Did I read that correctly?</p> <p>13 A. Yes, you read it correctly.</p> <p>14 Q. Do you know on what basis others -- so not</p> <p>15 yourself, but other patients of Dr. Akoda's chose him</p> <p>16 as their physician?</p> <p>17 A. I can't speak on others, but I can speak</p> <p>18 on myself. I didn't choose Igberase, whatever his</p> <p>19 name is -- Akoda. I -- I went with the intentions of</p> <p>20 seeing Dr. Chaudhry. Dr. Chaudhry was never there,</p> <p>21 so pretty much I was stuck with Dr. Akoda.</p> <p>22 Q. When you started seeing Dr. Akoda as a</p> <p>23 physician, did you specifically rely on the concept</p> <p>24 that he had an ECFMG certification? Was that</p> <p>25 something that was in your head?</p>	<p style="text-align: right;">Page 97</p> <p>1 Q. How do you know that?</p> <p>2 A. How do I know that?</p> <p>3 Q. You said we all feel this way.</p> <p>4 A. Yes.</p> <p>5 Q. How do you know that? Are you surmising</p> <p>6 that you think they all should feel that way, or do</p> <p>7 you actually know that that's how they feel?</p> <p>8 MR. CERYES: Objection, form.</p> <p>9 A. Anybody who get lied to feel that way, and</p> <p>10 that's what in -- this case is, we've been lied to.</p> <p>11 Q. Do you have any special reason to know</p> <p>12 that, or did you talk to other patients of</p> <p>13 Dr. Akoda's, other than Ms. Gaymon --</p> <p>14 A. No.</p> <p>15 Q. -- to know how anyone feels?</p> <p>16 A. No, I have not.</p> <p>17 MR. CERYES: Objection, form, foundation.</p> <p>18 You can answer.</p> <p>19 BY MS. MCENROE:</p> <p>20 Q. Do you know about any consents that any of</p> <p>21 Dr. Akoda's other patients may have provided for his</p> <p>22 treatment of them?</p> <p>23 A. No.</p> <p>24 Q. What are you hoping to get out of this</p> <p>25 lawsuit?</p>

<p style="text-align: right;">Page 98</p> <p>1 A. Some sort of -- somebody needs to be 2 accountable for what happened. 3 Q. Have you sued Dr. Akoda or Dr. Igberase? 4 A. No. 5 Q. Have you brought a medical malpractice 6 claim against him? 7 A. No. 8 Q. You did sue Dimensions, though, right? 9 A. I sure did. 10 Q. Did you review a complaint in connection 11 with the lawsuit against Dimensions? 12 A. Yes, I did. 13 Q. Do you believe that the allegations in 14 that complaint are true and correct as written? 15 A. That's correct. 16 MR. CERYES: Objection, form, foundation. 17 BY MS. MCENROE: 18 Q. What injury, if any, are you claiming in 19 this lawsuit? 20 A. What injury am I claiming in this lawsuit? 21 Well, besides the fact that I almost lost my life 22 because of a fake doctor who I thought was a doctor. 23 I don't have a peace of mind since I found out that 24 he wasn't who he said he was. 25 Q. So breaking that down, I just -- it</p>	<p style="text-align: right;">Page 100</p> <p>1 responses of any interrogatories in this litigation? 2 A. No. 3 Q. Did you provide any information to your 4 counsel in connection with the responses to 5 interrogatories? 6 A. No. 7 MS. MCENROE: This will be 3, and this 8 will be 4. They go together. 9 (Exhibit 3 marked for 10 identification: Plaintiff Elsa 11 Powell's Answers to First Set of 12 Interrogatories and Responses to 13 First Set of Requests for Production 14 of Documents) 15 (Exhibit 4 marked for 16 identification: Plaintiff Elsa 17 Powell's Supplemental Answers to 18 First Set of Interrogatories and 19 Supplemental Responses to First Set 20 of Requests for Production of 21 Documents) 22 BY MS. MCENROE: 23 Q. Ms. Powell, I'm handing you what I've 24 marked as Exhibits 3 and 4. Take a quick second. 25 I'm not going to quiz you on everything in there, but</p>
<p style="text-align: right;">Page 99</p> <p>1 sounded like there are two separate things that you 2 just articulated there. There was a physical concern 3 about the bleeding and clotting issue after delivery 4 of Jaiden; is that correct? 5 A. Of course. 6 Q. And then there's more of an emotional and 7 mental issue separately, then, that we talked about 8 just a second ago? 9 A. I won't say mental, but emotionally, yes. 10 Q. Okay. Have you sought any treatment or 11 help for that emotional concern? 12 A. No. 13 Q. Okay. So just so the record's clear, the 14 -- the concern for your life that you were referring 15 to, that was the post-delivery bleeding and clotting, 16 correct? 17 A. Correct. 18 Q. Have you ever heard the term 19 "interrogatory" before? 20 A. Yes, I have. 21 Q. You -- you understand that interrogatories 22 are questions that get asked in the course of 23 litigation; is that correct? 24 A. Correct. 25 Q. Did you play any role in drafting the</p>	<p style="text-align: right;">Page 101</p> <p>1 I just want to give you a minute to familiarize 2 yourself before I start asking questions. 3 So in Exhibit 3, I'd like to point you to the 4 second-to-last page in the document, the next page 5 after that. 6 MR. CERYES: In the back of that page. 7 A. Mm-hmm. 8 Q. It's double-sided. 9 A. I'm here. 10 Q. And it says "Verification" at the top. Do 11 you see that? 12 A. Mm-hmm. 13 Q. And it reads: 14 "I, Elsa Powell, hereby aver that 15 the factual statements in the 16 foregoing answers to interrogatories 17 are true and correct to the best of 18 my knowledge, information and 19 belief, and that these answers are 20 made subject to the penalties 21 relating to unsworn falsification to 22 authorities." 23 Do you see that? 24 A. Mm-hmm. 25 Q. Is that a yes?</p>

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<p>1 A. Yes.</p> <p>2 Q. Is that your signature?</p> <p>3 A. Yes.</p> <p>4 Q. Did you actually review the answers to the</p> <p>5 interrogatories before you signed this?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And you believed them to be true</p> <p>8 and correct?</p> <p>9 A. Yes.</p> <p>10 Q. Great. So you can set Exhibit 3 aside.</p> <p>11 And let's look at Exhibit 4, which is a</p> <p>12 supplemental set of interrogatory responses. It's</p> <p>13 something that happens sometimes in -- in discovery.</p> <p>14 Toward the back of the document, there's a</p> <p>15 long list of names, but a couple pages before that is</p> <p>16 another verification page. I'm hoping you can look</p> <p>17 at that with me.</p> <p>18 A. Mm-hmm.</p> <p>19 Q. And it's a verification, and it says:</p> <p>20 "I, Elsa Powell, hereby aver that</p> <p>21 the factual statements in the</p> <p>22 foregoing supplemental answers to</p> <p>23 interrogatories are true and correct</p> <p>24 to the best of my knowledge,</p> <p>25 information and belief, and that</p>	<p>1 Q. In the Exhibit 4, that list at the back,</p> <p>2 Ms. Gaymon is listed, right, on the second page</p> <p>3 there? It's alphabetical by last name.</p> <p>4 A. Correct.</p> <p>5 Q. Latisa Gaymon, that's the friend you've</p> <p>6 been talking about today?</p> <p>7 A. Correct.</p> <p>8 Q. Correct? Okay. So you can set those</p> <p>9 aside.</p> <p>10 We talked a little earlier today about the way</p> <p>11 that you go about choosing a medical doctor, and it's</p> <p>12 been different depending on the insurance you have;</p> <p>13 is that fair to say?</p> <p>14 A. Yes.</p> <p>15 Q. When you've gotten a new medical doctor,</p> <p>16 have you ever done any sort of background or criminal</p> <p>17 check on them?</p> <p>18 A. Yes, if I go see them.</p> <p>19 Q. Which doctor?</p> <p>20 A. My children's doctor.</p> <p>21 Q. Your children's doctor?</p> <p>22 A. Yes. I haven't seen my doctors yet,</p> <p>23 unless I need to, which was Ms. Em- -- Emily Lo, and</p> <p>24 I did my research on her.</p> <p>25 Q. Right. And you did a criminal background</p>
Page 103	Page 105
<p>1 these supplemental answers are made</p> <p>2 subject to the penalties relating to</p> <p>3 unsworn falsification to</p> <p>4 authorities."</p> <p>5 Did I read that correctly?</p> <p>6 A. Yes.</p> <p>7 Q. Then there's a -- it looks like maybe more</p> <p>8 of an electronic signature or something there. Is</p> <p>9 that your signature?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And so did you review the responses</p> <p>12 to the supplemental answers to interrogatories as</p> <p>13 well?</p> <p>14 A. Yes.</p> <p>15 Q. And you believed them to be true and</p> <p>16 accurate as written?</p> <p>17 A. Yes.</p> <p>18 Q. It might save us a little bit of time.</p> <p>19 Are there any changes or issues or concerns</p> <p>20 you have about any of the interrogatory responses as</p> <p>21 written or supplemented?</p> <p>22 A. No.</p> <p>23 Q. Okay. So there's nothing today you'd like</p> <p>24 to change or amend about your discovery responses?</p> <p>25 A. No.</p>	<p>1 check on her?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. How did you do that?</p> <p>4 A. Online.</p> <p>5 Q. Okay. So you Googled her?</p> <p>6 A. Mm-hmm.</p> <p>7 Q. Did you --</p> <p>8 A. Yes.</p> <p>9 Q. Is that a yes?</p> <p>10 Did you pay to have anyone perform an actual</p> <p>11 criminal background check on her?</p> <p>12 A. No.</p> <p>13 Q. Okay. Did you ask your husband to do any</p> <p>14 sort of special police check on her or anything?</p> <p>15 A. No.</p> <p>16 Q. Do you know if any of the doctors you've</p> <p>17 seen in the past have ever been convicted of tax</p> <p>18 fraud?</p> <p>19 A. No.</p> <p>20 Q. Okay. Do you know if any of them have</p> <p>21 ever been found to have failed to have paid their</p> <p>22 nannies or their housekeepers?</p> <p>23 A. No.</p> <p>24 Q. Do you know if any of them have ever</p> <p>25 smoked pot in a place where that's not legal?</p>

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1 A. No.

2 Q. Do you know if any of them have ever been

3 committed [sic] of Social Security fraud other than

4 Dr. Akoda?

5 A. No.

6 Q. Do you know if any of those doctors have

7 ever perjured themselves or lied in a court of law?

8 A. No.

9 Q. Do you know if any of them have ever been

10 sued for malpractice, any doctor you've ever gone to?

11 A. No.

12 Q. You don't know one way or the other?

13 A. No.

14 MS. MCENROE: Let's take a quick break.

15 VIDEO SPECIALIST: We're going off the

16 record at 11:32.

17 (Proceedings recessed)

18 VIDEO SPECIALIST: We're back on the

19 record at 11:42.

20 BY MS. MCENROE:

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 A. Yes.

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 A. Yes.

5 [REDACTED]

6 pregnant or you had had Jaiden already?

7 A. I had Jaiden.

8 Q. Okay. How old was Jaiden, do you know,

9 when you got sued?

10 A. He was a couple months old.

11 [REDACTED]

12 [REDACTED]

13 [REDACTED] gs

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 Q. Okay. Again, that was when Jaiden was

23 just a couple months old?

24 A. Correct.

25 Q. Jumping back to your treatment by

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1 Dr. Akoda real quick, was the person who treated you

2 as Dr. Akoda the same man throughout the treatment?

3 Did you recognize him to be the same person?

4 A. Yes.

5 Q. Okay. And can you describe to me very

6 briefly what he looked like?

7 A. Tall, dark-skinned. He was bald-headed,

8 slim.

9 Q. Did he speak with an accent?

10 A. Yes.

11 Q. And the person who delivered Jaiden is the

12 same person who did your prenatal care, Dr. Akoda?

13 A. Correct.

14 Q. I did have one other question for your

15 counsel, just as a housekeeping matter.

16 MS. MCENROE: We've gotten some of the

17 medical records like we had talked about yesterday

18 that have some redactions on them, so I think we may

19 need to discuss or revisit -- we can do that off the

20 record afterwards.

21 MR. CERYES: Sure.

22 MS. MCENROE: But pending any resolution

23 of figuring out some of that medical record cleanup,

24 I have no further questions for today.

25 MR. CERYES: Okay.

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1 EXAMINATION

2 BY MR. CERYES:

3 Q. And I do, just very briefly, have one or

4 two for you.

5 A. Yes.

6 Q. You were -- you were asked by counsel some

7 questions about how you came to be a patient of

8 Akoda. Do you remember that?

9 A. Yes.

10 Q. Okay. And you explained that he -- it's

11 not -- he's not someone you picked from a list, but

12 rather you had been referred to him -- initially to

13 Chaudhry and then to Akoda, do you recall that?

14 MS. MCENROE: Objection to form, leading.

15 A. Yes.

16 Q. When you agreed to receive treatment from

17 Akoda, was it your assumption and belief that he had

18 gone through the appropriate and lawful process in

19 order to become a physician?

20 MS. MCENROE: Objection to form, leading.

21 A. Yes.

22 Q. Okay. And had you understood that he had

23 not gone through that lawful process to become a

24 licensed physician, would you have agreed to receive

25 treatment from him?

Elsa Powell

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1 MS. MCENROE: Objection to form, leading.
 2 A. Never.
 3 MR. CERYES: That's all I have.
 4 MS. MCENROE: Thank you.
 5 VIDEO SPECIALIST: That completes the
 6 deposition. We're going off the record at 11:45.
 7
 8 //
 9 (The deposition of ELSA POWELL adjourned
 10 at 11:45 a.m.)
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1 ACKNOWLEDGMENT OF DEPONENT
 2
 3 I, ELSA POWELL, do hereby acknowledge that
 4 I have read and examined the foregoing testimony and
 5 that the same is a true, correct and complete
 6 transcription of the testimony given by me, with the
 7 exception of the noted corrections, if any, appearing
 8 on the attached errata page(s).
 9
 10 _____
 11 DATE ELSA POWELL
 12
 13 Subscribed and sworn to before me this _____ day of
 14 _____, 20____ .
 15 _____ (Notary Public)
 16 My Commission expires: _____
 17
 18
 19
 20 [SEAL]
 21
 22
 23
 24
 25

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1 C E R T I F I C A T E
 2
 3 I, LINDA S. KINKADE, Registered Diplomat
 4 Reporter, Certified Realtime Reporter, Registered
 5 Merit Reporter, Certified Shorthand Reporter, and
 6 Notary Public, do hereby certify that prior to the
 7 commencement of examination the deponent herein was
 8 duly sworn by me to testify truthfully under penalty
 9 of perjury.
 10 I FURTHER CERTIFY that the foregoing is a true
 11 and accurate transcript of the proceedings as
 12 reported by me stenographically to the best of my
 13 ability.
 14 I FURTHER CERTIFY that I am neither counsel
 15 for nor related to nor employed by any of the parties
 16 to this case and have no interest, financial or
 17 otherwise, in its outcome.
 18 IN WITNESS WHEREOF, I have hereunto set my
 19 hand and affixed my notarial seal this 10th day of
 20 September, 2019.
 21 My commission expires: July 31, 2022
 22
 23 _____
 24 NOTARY PUBLIC IN AND FOR
 25 THE DISTRICT OF COLUMBIA

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1 WITNESS ERRATA SHEET
 2 REF. NO. 225850 Page 1 of ____
 3 NAME OF CASE: Russell, et al. v. ECFMG
 4 DEPONENT: ELSA POWELL
 5 DATE OF DEPOSITION: September 6, 2019
 6 PLEASE INSERT REASON FOR CHANGE:
 7 1. To clarify the record.
 8 2. To conform to the facts.
 9 3. To correct a transcription error.
 10 Page Line Reason No.
 11 From _____ to _____
 12 Page Line Reason No. _____
 13 From _____ to _____
 14 Page Line Reason No.
 15 From _____ to _____
 16 Page Line Reason No.
 17 From _____ to _____
 18 Page Line Reason No.
 19 From _____ to _____
 20 Page Line Reason No.
 21 From _____ to _____
 22
 23 SIGNED: _____ DATE: _____
 24 (Signature of ELSA POWELL)
 25